

In the Court of Sessions Judge, Vaishali
A.B.P. No. 109/2025

1. Arun Kumar, S/O-Bishnu Pandit, aged about 43 years,
R/O-Basti Bihar Phase No. 06, Subhai, P.S. Town Hajipur, Distt. - Vaishali.

.....Petitioner

Versus

State of Bihar

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O.P.

Appearance :-

Learned counsel for the petitioner :- Sri Manoranjan Kumar, advocate.

Learned P.P. for the State :- Sri Shyam Babu Rai,

Present : Harshit Singh,
Sessions Judge, Vaishali.

Date of order : 10th. March 2026

Heard the learned defence counsel as well as learned Public Prosecutor on the anticipatory bail application filed on behalf of the above named accused/petitioner under section 482 of B.N.S.S. who is apprehending his arrest in connection with Town Hajipur P.S. Case No. 1462/2025 registered u/ss. 115(2), 126(2), 109, 352 of B.N.S., & Section 25(1-b)a, 26 and 27 of Arms Act.

It is stated in Para 2 of the anticipatory bail petition that no bail application either anticipatory or regular has been filed in the present case either before this court of Sessions or before the Hon'ble High Court, Patna.

The case of the prosecution in brief, as per the written application of the informant is that accused/petitioner namely Arun Kumar had an illicit relationship with the wife of the informant and despite earlier intervention of police and execution of bond between the parties, he continued to follow the informant and his wife. On 18.12.2025, the petitioner came to the hospital where the informant was working, abused and assaulted him and also took out a six-shooter pistol and threatened

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him. Thereafter, it is alleged that on the same day at around 05.00 P.M., Arun Kumar again came to the hospital and was beaten by the informant and his staff then the accused/petitioner allegedly fired one shot from the said pistol at one Deepak, who narrowly escaped.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case due to personal dispute arising out of alleged relationship with the informant's wife. It is further submitted that the petitioner himself was assaulted by the informant and his staff members and the allegation of firing has been exaggerated. It is also submitted that the petitioner has no criminal antecedent and a prayer has been made to allow the anticipatory bail petition.

The learned Public Prosecutor for the State opposed the prayer for anticipatory bail.

Heard both the parties and perused the case diary. After perusal of the case diary, it transpires that the allegation against the petitioner is that he came to the place of occurrence and during the course of altercation allegedly fired one shot from his revolver. However, it transpires from the materials available on record that the said revolver is a licensed weapon belonging to the petitioner. Though allegation of assault and firing has been made but no injury report has been brought on record by the Investigating Officer to substantiate that any person sustained injury in the alleged occurrence but on further perusal of case record, it appears that the petitioner itself sustained

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injury and in relation to prove this fact he produced his fractured hand photographs and scan report. On further perusal of C.C.T.V. footage mentioned in para 40 of case diary, it also transpires that out of five content (related video of the said occurrence), two content have already been deleted and the said video have no sound.

Considering the aforesaid facts and circumstances of the case, the nature of allegation, the fact that the firearm allegedly used is a licensed revolver of the petitioner, and also that no injury report has been submitted in the case diary, this Court is of the view that the custodial interrogation of the petitioner does not appear to be necessary at this stage. Accordingly, in the event of arrest or surrender before the learned court below within the stipulated period, the anticipatory bail petition of petitioner namely Arun Kumar is hereby allowed and it is ordered that in the event of arrest or surrender, he will be enlarged on anticipatory bail, on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned court below within four weeks of this order, subject to the conditions as laid down under section 482(2) of the B.N.S.

(Dictated)

(Harshit Singh)
Sessions Judge, Vaishali