

In the Court of Sessions Judge, Vaishali

B.P. No. 247/2026

1. Pankaj Kumar, aged about 25 years S/o Ramdas Sahani, Resident of village –Maudah Bujurg, P.S. -Mahisaur, District – Vaishali. :- Petitioner

Versus

State of Bihar

:-

O.P.

Appearance :-

Learned counsel for the petitioner :- Sri Sanjeev Kumar, Advocate

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

Present : Harshit Singh,
Sessions Judge, Vaishali.

Date of order : 09th. March 2026

The regular bail petition of the above named accused petitioner has been filed u/s 309(6) of B.N.S. & Section 27 of Arms Act 1982. The petitioner is in judicial custody since 15.06.2025 in connection with Sarai P.S. Case No. 277/2024.

Heard the learned counsel for the accused petitioner and learned Public Prosecutor for the State and perused the record.

It is stated in Para 2 of the bail petition that no petition for bail either regular or anticipatory has been moved on behalf of the petitioner before this court or before the Hon'ble High Court, Patna.

The case of the prosecution in brief, as per written application of the informant is that the informant is working as a driver in RSPL Company, Bidhauri. On 12.12.2024 at about 10:30 A.M., he left the company with his Eicher DCM vehicle for refueling at Veena Shahi Petrol Pump, Bhagwanpur. After refueling, he proceeded towards Kurtha, Jehanabad, at about 11:30 A.M., when the informant reached near Sarai Overbridge, he got down from his vehicle to urinate. At the same time, suddenly two unknown boys came and snatched his mobile phone and money from his pocket. When the informant protested, a third boy, who was standing near the service road of Sarai Overbridge on a white-coloured motorcycle, shouted at the informant to give his mobile and money, otherwise the accused persons would shoot the informant. When the informant tried to run towards his

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vehicle in order to save his belongings, the third boy threatened him and fired from his pistol, causing injury to the informant. The informant sustained a gunshot injury on the right side of his stomach. Thereafter, despite being injured, the informant somehow managed to drive his vehicle towards Hajipur. When he reached near Mahua Turn, he found a police/administrative vehicle standing there and then he informed the police personnel about the incident. The police immediately took him to Sadar Hospital, Hajipur for treatment.

Learned counsel for the petitioner submits that the petitioner is innocent, has not committed any offence and he has falsely been implicated in this case. Ld. Counsel on behalf of petitioner further submits that this case is registered against the unknown criminals on the basis of fardbeyan of driver Dinesh Pandey R.S.P.L. Company, Bethauli dated 13.12.2025 at P.M.C.H. Patna. The Police has falsely arrested the petitioner in Sarai P.S. Case No. 154 of 2025 and nothing has been recovered from the possession of the petitioner. Charge has already been framed in this case. Besides this, Petitioner has two criminal antecedents and he is in custody in this case since 15.06.2025. Hence, prayer has been made to release the petitioner on bail.

Learned Public Prosecutor opposed the prayer for bail.

Heard both the parties and also perused the case record and the case diary. From perusal of the same, it appears that there are specific and direct allegations against the petitioner in connection with the alleged occurrence. From further perusal of the case diary, it transpires that the informant and one witness have supported the prosecution version, which prima facie corroborates the prosecution story regarding the involvement of the accused persons. During the course of investigation the petitioner in his confessional statement has admitted his participation in the alleged occurrence, which at this stage lends further support to the prosecution case. Charge has already been framed against the petitioner on 12.12.2025 but not a single witness has

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been examined, as of yet. The bail petition already disclosed that the petitioner has two criminal antecedents which are (i) Bhagwanpur P.S. Case No. 145 of 2025 and (ii) Sarai P.S. Case No. 154 of 2025 of similar nature of offence, which reflects his criminal propensity and militates against the grant of bail.

Considering the nature and gravity of the accusation, the manner in which the offence is alleged to have been committed and the materials available on record, this Court is of the considered view that the petitioner does not deserve the privilege of bail at this stage. Accordingly, the prayer for bail of the petitioner, namely Pankaj Kumar, is rejected.

(Dictated)

(Harshit Singh)
Sessions Judge, Vaishali