

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BEGUSARAI

A.B.A. No. 1035/2026

Ref:- Arising out of Bachhwara P.S Case No. 57/2026

Dt: 23.02.2026

U/S-115(2), 352, 308(5), 308(2), 303(2), 351(2), 351(3), 3(5) of B.N.S.

In the matter of :-

Shubham Kumar, S/o Pramod Mahto,

R/o vill. Narepur, Ward no. 03, P.S. Bachhwara, Distt.Begusarai

.....Petitioner

Vrs.

The State of Bihar

.....Opposite Party

Present:- Rishi Kant

Principal Sessions Judge, Begusarai

Ld. Counsel for the petitioner :- Sri Gunjan Kumar, Ld. Adv.

Ld. Counsel for the O.P. :- Ld. P.P. I/C

Ld. Counsel for the informant :- Sri Kumar Sanjay, Ld. Adv.

Date of order:-30.06.2026

ORDER

An anticipatory bail petition has been filed on behalf of above named accused/petitioner who is apprehending their arrest in connection with above mentioned case for committing of offences u/s-115(2), 352, 308(5), 308(2), 303(2), 351(2), 351(3), 3(5) of B.N.S, and the same has been put up for hearing.

Heard Learned Counsel Sri Gunjan Kumar, appearing on behalf of accused/petitioner and Ld. P.P I/C for the State alongwith Ld. Counsel Sri Kumar Sanjay, appearing on behalf of informant.

The prosecution case in brief is that informant alleged that he run a jewelry shop in Bachhwara market to support his family. Bachhwara Police Station Case No.-161/2025 has been registered by his father in which Shubham Kumar, son of Pramod Mahato, is the accused, who has come out of jail on bail a few days ago. Since his release, 5-10 of his criminal associates gather in front of his shop, sometimes abuse him, sometimes show him the pistol kept in his waist, yet they ignore it and continue with their work. On 22-02-2026 at around 11:00 A.M. he was coming towards the shop on his motorcycle. A little before the gravel and time shop, accused stopped him from the front. Accused was drunk and had a pistol in his waist and told him that if someone would kill you with this, he took out the pistol from his waist and pointed it at him. They abuse and slapped him and said, your father did not even give you the rent and you had to go to jail. Tell your father as soon as possible to give 2 lakh rupees as ransom, otherwise I will come to the shop and shoot you. Saying this, he snatched the 10 gram chain from his neck and took out four thousand rupees from his pocket. Accordingly, the present case has been registered.

The Ld. Counsel appearing on behalf of accused/petitioner submitted that earlier on behalf of the petitioner, no anticipatory bail or regular bail application has been filed or pending either before this learned court or before the Hon'ble High Court, Patna. It is further submitted that petitioner is quite innocent, has committed no offence. The petitioner has been falsely implicated in this case due to village politics and only to put him in the jail. It is further submitted that petitioner has one criminal antecedent I.e, Bachhwara P.S. case no. 16/25. The allegation of theft is ornamental and levelled only to make the case serious and non-bailable. No case of u/s 308(2) &

308(5) is made out against the petitioner. Petitioner is ready to abide all the conditions imposed by the court, so he may be released on bail.

On the other hand, the learned Public Prosecutor In-Charge, appearing on behalf of the State alongwith Ld. Counsel for the informant, vehemently opposed the prayer for bail.

Heard the learned counsel for the petitioner and the learned A.P.P. for the State. Perused the record as well as the photocopy of the case diary. As per the allegations made in the F.I.R., the petitioner, along with other accused persons, assaulted the informant and demanded rangdari from him. On perusal of the case diary, it transpires that in Paragraph No. 2, the informant, in her re-statement, has fully supported the prosecution case. Further, the witnesses examined during the course of investigation, whose statements have been recorded in Paragraph Nos. 8, 9 and 10 of the case diary, have also consistently corroborated the allegations levelled against the petitioner. It further appears from the case diary that the witnesses have specifically stated that the petitioner is a person of criminal propensity, who habitually demands rangdari from the shopkeepers and other persons at Narepur Bazaar and, in case of refusal, assaults and intimidates them. Further, from Paragraph No. 34 of the case diary, it appears that the petitioner has one criminal antecedent, namely, Bachhwara P.S. Case No. 16 of 2025, which is also of a similar nature. The investigation of the present case is still in progress.

Considering the aforesaid facts and circumstances, particularly the specific and consistent allegations against the petitioner, the corroborative statements of the witnesses recorded during investigation, the criminal antecedent of a similar nature, and the fact that the investigation is still pending, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Dictated)
S/d-
(Rishi Kant)
Principal Sessions Judge, Begusarai

Date of Judgment/Order	30.06.2026
Date of Reserving Judgment/Order	N.A
Uploading Date	03.07.2026
Uploaded by	Kunwar Akash Raj