

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36675 of 2025**

Arising Out of PS. Case No.-115 Year-2025 Thana- DHAKA District- East Champaran

Umashankar Sah son of Satya Narain sah Resident Of Village -Bakhari
Khajuri ,Ps- Dhaka, District -East Champaran P/A- Dhaka Braham Sthan, Ps-
Dhaka, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-06-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Dhaka
P.S. Case No. 115 of 2025 instituted for the offence under
Sections 126(2), 115(2), 117(2), 109, 303(2), 351(2), 352 & 3(5)
of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case in short is that on 10.03.2025,
while Informant was at his electrical shop, the petitioner and
one Suraj Kumar, and 5-6 unknown persons assaulted him and
his sons, causing head injuries. The accused also looted Rs.
30,000 cash and ornaments worth Rs. 2 lakhs from the shop.
Upon raising an alarm, locals gathered, but the accused fled
after issuing threats. The injured were later taken to Dhaka



Referral Hospital for treatment.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11-03-2025. Petitioner bears two criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that there is no specific allegation against the petitioner, rather allegation is general and omnibus in nature as the allegation of assault upon the informant is against the petitioner and other co-accused. It is submitted that injury of the informant is found to be simple in nature. Parties are agnates. Charge sheet has already been submitted in this case. The petitioner has also lodged case against the informant and others being Dhaka PS Case No. 116 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being case and counter case between the parties and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on



furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dhaka P.S. Case No. 115 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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