

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70713 of 2025

Arising Out of PS. Case No.-263 Year-2025 Thana- PIPRA District- East Champaran

- 1 . Mukesh Kumar S/o- Hari Narayan Prasad Resident Of Village- Bisunpura,
Ps- Pipra, Dist-East Champaran
2. Bimlesh Kumar S/o- Hari Narayan Prasad Resident Of Village- Bisunpura,
Ps- Pipra, Dist-East Champaran
- 3 . Dharmendra Bhagat @ Dharmendra Prasad S/o- Late Tej Narayan Bhagat
Resident Of Village- Bisunpura, Ps- Pipra, Dist-East Champaran
4. Sanjay Bhagat @ Sanjay Prasad S/o- Late Tej narayan Bhagat Resident Of
Village- Bisunpura, Ps- Pipra, Dist-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-12-2025 At the outset, learned counsel for the petitioners
seeks permission to withdraw this anticipatory bail application
with regard to petitioner No. 3 .

2. Permission is granted.

3 . This anticipatory bail application with regard to
petitioner No. 3 is, accordingly, dismissed as withdrawn .

4. Heard learned counsel for the petitioner Nos. 1 , 2



and 4 and the State .

5 . Petitioner Nos. 1 , 2 and 4 apprehend arrest in a case registered for the offence punishable under Section 126(2), 115(2), 118, 109(1), 303(2), 351(2), 352, 74 and 3(5) of the B.N.S., 2023 and under Section 27 of the Arms Act.

6. As per prosecution case, on 01.06.2025 at about 02:00 PM, while panchyati was going on, all named accused persons including these petitioners, variously armed, came there and started abusing and assaulting the informant and created a ruckus there . Thereafter, co-accused Vimlesh Kumar and Gulsan Kumar assaulted the son of the informant with a knife and Kamlesh Kumar assaulted the son of informant with the butt of pistol on his head, and when the informant objected, Kamlesh Kumar opened fire on the informant, but the bullet did not hit informant. It is further alleged that co-accused (Diplal Bhagat @ Diplal Prasad) along with two other co-accused assaulted the brother of informant with lathi and danda and co-accused (Akshay Kumar @ Akshay) along with other co-accused persons assaulted the wife of the informant and dragged her down .

7. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in



the present case . On account of land dispute between both the parties a maarpeet took place in which both sides sustained injuries. Case and counter case . The specific allegation of firing is not attributed against these petitioners, rather it is levelled against the co-accused Kamlesh Kumar. Petitioners claim clean antecedent. Similarly situated co-accused persons have already been granted bail by this Hon'ble Court vide order dated 15.10.2025 in Cr. Misc. No. 72287 of 2025 .

8 . Learned APP for the State has opposed the prayer for anticipatory bail.

9. Considering the aforesaid facts and circumstances of the case and also the fact that petitioners have clean antecedent and specific allegation of assault is not levelled against them, let the petitioner Nos. 1 , 2 and 4 above-named, in the event of their arrest / surrender before the learned trial Court within a period of eight weeks from today, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Motihari, East Champaran , in connection with Pipra P.S. Case No. 263 of 2025 , subject to the condition as laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the B.N.S.S.,



2023 .

(Prabhat Kumar Singh, J)

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