

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72287 of 2025

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

1. Diplal Bhagat @ Diplal Prasad son of Late Tej Narayan Bhagat Resident of village - Bisunpura, ps- Pipra, Dist- East Champaran
2. Akshay Kumar @ Akshay Son of Diplal Bhagat @ Diplal Prasad Resident of village - Bisunpura, ps- Pipra, Dist- East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-10-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 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.

3. 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, 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 petitioner no. 1 (Diplal Bhagat @ Diplal Prasad) along with two other co-accused assaulted the brother of informant with lathi and danda and petitioner no. 2 (Akshay Kumar @ Akshay) along with other co-accused persons assaulted the wife of the informant and dragged her down.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. There is case and counter case between the parties. The specific allegation of firing is not attributed against these petitioners, rather it is levelled against the co-accused Kamlesh Kumar. There is vague allegation of assault levelled against these petitioners, but there is no injury report of the wife and brother of informant on record to substantiate them. Petitioners claim clean antecedent.

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

6. 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 petitioners, 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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