

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 77616 of 2025

Arising Out of PS. Case No.-211 Year-2025 Thana- LAKHAURA District- East Champaran

Umesh Prasad @ Umesh Kumar S/o Late Devilal Sah R/o Village- Lakhaura
Bhichla tola, P.S- Lakhaura, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 27-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Learned counsel for the petitioner is permitted to make correction in the name of the petitioner in view of the supplementary affidavit filed by him on 25.11.2025.

3. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 115(2), 126(2), 109(1), 303(2), 351(2), 352, 3(5) of the B.N.S.

4. As per the prosecution case, the petitioner along with others are alleged to have assaulted the informant and his son.

5. Learned counsel for the petitioner submits at the outset that the petitioner and the informant are full brothers and there is partition suit bearing Partition Suit No.302/2022



pending between them and the occurrence took place only on account of sudden fight between the parties on a trivial issue. There is case and counter case between the parties and the case on the side of the petitioner was filed earlier in point of time. It has been further submitted that the injury report (Annexure-3 series) shows that the injury attributable to the petitioner are injuries no.1 and 2, which are simple in nature, however injury no.3 is grievous but the same is on non-vital part of the body and is not attributable to the petitioner.

6. Learned APP for the State opposed the grant of anticipatory bail on the ground that the petitioner has hit the informant on his head by means of iron handle.

7. Taking into consideration the facts and circumstances and considering that the petitioner and the informant are full brothers with partition dispute between them coupled with the fact that injury attributable to the petitioner is simple in nature, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor



Court in connection with Lakhaura P.S. Case No. 211 of 2025,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha
Sanhita (BNSS), 2023.

(Soni Shrivastava, J)

anand/-

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