

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82709 of 2025

Arising Out of PS. Case No.-376 Year-2024 Thana- PIPRA District- East Champaran

Umesh Bhagat S/o- Faguni Bhagat, R/v- Chintamanpur Khas Tola, PS- Pipra,
Dist- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Prem Kumar Jha, APP
For the Informant	:	Mr. Rakesh Kumar No. 1, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-12-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Pipra P.S. Case No. 376 of 2024 dated 15.12.2024, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 109, 74, 303(2), 352 and 351(2) read with Section 3(5) of the B.N.S., 2023.

3. As per the prosecution case, petitioner and other co-accused persons entered into the house of the informant and assaulted the daughter-in-law of the informant with *farsa*. When the informant and his son went for her rescue, all the accused persons including the petitioner assaulted them with *tanguli* and iron-rod causing injuries to them. The co-accused Dahaur Prasad assaulted the son of the informant with sword. The



assailants also took away rupees eighty thousand from the informant.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. There is an inordinate delay of five days in lodging of the FIR and there is no satisfactory explanation for the same. There is general, vague and omnibus allegation against the petitioner and other co-accused persons for causing injuries to the informant and his family members. However, all the injuries have been found to be simple, except one injury on the informant which is said to be grievous. There is case and counter version bearing Pipra P.S. Case No. 375 of 2024, which has been lodged by the co-accused Krishna Prasad against the informant's side as the informant's side assaulted a number of co-accused including the co-accused Krishna Prasad. Learned counsel further submits that co-accused Krishna Prasad has been granted bail by this Court *vide* order dated 24.11.2025 passed in Cr. Misc. No. 75426 of 2025. Another co-accused Mahesh Bhagat has been granted bail by a learned co-ordinate Bench of this Court *vide* order dated 19.11.2025 passed in Cr. Misc. No. 78890 of 2025. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been



submitted. Learned counsel lastly submits that petitioner is in custody since 17.08.2025.

5. Learned A.P.P. appearing on behalf of the State as well as learned counsel for the informant oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that there is specific allegation against the petitioner and co-accused Mahesh Bhagat for assaulting the son of the informant causing fracture on his head.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-specific nature of allegation against the petitioner and also considering his period of custody and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sadar, East Champaran, Motihari / concerned Court, in connection with **Pipra P.S. Case No. 376 of 2024**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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