

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6059 of 2026

Arising Out of PS. Case No.-125 Year-2025 Thana- BARHIYA District- Lakhisarai

Sumit Kumar @ Pilla Son of Tanik Singh Resident of Khuthadih, P.S. -
Barahiya, Dist. - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Archana Sinha, Sr. Adv. Mr. Shubham Shankar, Adv.
For the Opposite Party/s:		Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Barahiya P.S. Case No. 125 of 2025, registered for the offences under Sections 126(2), 115, 109(1), 303(2), 352, 351(2), 3(5) of the BNS and Section 27 of the Arms Act.

3. As per the prosecution case, petitioner and another co-accused persons came to the land of the informant which was being cultivated by him and started hurling abuses. The petitioner threatened the informant putting a pistol on his head and thereafter all of them thrashed the informant. The petitioner hit him on the head with butt of the pistol causing injuries and they also took away Rs.10,000/- from the informant. When the



informant tried to flee away from there, the petitioner and co-accused fired upon him but the shot missed the informant. The assailants threatened the driver of the tractor who was ploughing the land of the informant.

4. Learned senior counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated and no offence in the manner as alleged has ever taken place. From the FIR, land dispute is admitted. General and omnibus allegation of assault has been levelled against four named and five unknown persons. Though there is specific allegation of assault against this petitioner for hitting on the head of the informant but there was no intention to cause death and this fact is apparent from the written report itself. Petitioner is in custody since 05.10.2025 and charge sheet has been submitted. Petitioner is having antecedent of three cases and he is on bail in all these three cases.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the background of land dispute and submission of charge sheet against the petitioner and also considering his period of custody,



the petitioner is directed to be released 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 CJM, Lakhisarai/concerned court, in connection with Barahiya P.S. Case No. 125 of 2025, subject to the condition laid down under Section 480(3) of the BNSS 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 absence on three consecutive dates 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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