

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11679 of 2026

Arising Out of PS. Case No.-228 Year-2025 Thana- CHOUTARWA District- West
Champaran

-
1. Pintu Kumar S/O Ramji Sah @ Ramjee Prasada R/O Village -Jamadar Tola Siswa, Basantpur, P.S- Choutarwa, Dist.- West Champaran.
 2. Deepu Kumar S/O Ramji Sah @ Ramjee Prasada R/O Village -Jamadar Tola Siswa, Basantpur, P.S- Choutarwa, Dist.- West Champaran.
 3. Raj Kumar S/O Pramod Sah @ Pramod Prasad R/O Village -Jamadar Tola Siswa, Basantpur, P.S- Choutarwa, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Milind Kumar Mishra, Advocate

For the State : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-03-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek bail in a case registered for the offence punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 329(3), 109, 103 and 352 of the B.N.S..

3. As per prosecution case, it is alleged that all the F.I.R. named accused persons, including these petitioners, assaulted one Dharmanath Prasad by means of *lathi* causing head injury due to which he died during course of treatment.



4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. Allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against these petitioners. As per F.I.R., all 10 F.I.R. named accused persons, including these petitioners, are alleged to have assaulted the deceased, however, as per *post mortem* report, only two injuries were found on the body of the deceased, which itself makes the entire prosecution case doubtful. Moreover, charge-sheet has already been submitted and petitioners, having no criminal antecedents, are in custody since 15.10.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, materials available on record, period of custody and clean antecedents of the petitioners, the prayer for grant of bail to the petitioners is allowed.

7. Accordingly, let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I,



Bagaha, West Champaran in connection with Choutarwa P.S.
Case No. 228 of 2025.

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

