IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75611 of 2026

CNR No. BRHC011079912026

Arising Out of PS. Case No.-244 Year-2026 Thana- CHANPATIA District- West Champaran

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Prakash Raut @ Prakash Kumar S/o Bharat Raut @ Bharat Ram Resident of Village- Chanpatiya Dom Tola, Ward No. 3, P.S.- Chanpatiya, District- West Champaran

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR

ORAL ORDER

2 28-10-2026 Heard the learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Chanpatiya P.S. Case No. 244 of 2026, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109(1), 303(2), 117(2), 351(2), 352 and 3(5) of the B.N.S.

3. As per the prosecution case, on 05.07.2026 at about 4:00 P.M., the informant, Pankaj Kumar Verma, was called near Sikrahana River by Mithu Kumar, where he allegedly found the petitioner, Prakash Raut, and other co-accused persons armed with lathis, sticks and iron rods. It is alleged that they started

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abusing the informant and upon objection to the abuses, Mithu Kumar allegedly assaulted the informant on his head with a knife, while Ranjit Yadav assaulted him with an iron rod and bamboo stick. The petitioner allegedly assaulted the informant on his waist with a lathi. The accused persons allegedly assaulted the informant, causing him to fall unconscious, and Ranjit Yadav allegedly snatched his silver chain, silver bracelet and ₹40,000.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. He further submits that the petitioner is alleged to have assaulted the informant on his waist with a lathi; however, the injuries sustained by the informant do not corroborate the said allegation. Learned counsel further submits that the injuries are general and omnibus in nature. He further submits that the co-accused persons who have assaulted the informant namely, Tripurari Kumar and Raja Yadav have already been granted anticipatory bail by co-ordinate Bench of this court vide order dated 19.09.2026 passed in Cr. Misc. No. 66188 of 2026. It is lastly submitted that the petitioner is in judicial custody since 09.07.2026 and he has has no criminal antecedent as per paragraph No. 3 of the bail petition.

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5. On the other hand, the learned APP for the State and the learned counsel for the informant have opposed the prayer for bail.

6. Considering the facts and circumstances of the case, as well as the fact that there is general and omnibus allegation against the petitioner coupled with the fact that the co-accused persons who have assaulted the informant namely, Tripurari Kumar and Raja Yadav have already been granted anticipatory bail by co-ordinate Bench of this court vide order dated 19.09.2026 passed in Cr. Misc. No. 66188 of 2026, let the above named petitioner be released on bail, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 4rth, Bettiah, West Champaran, in connection with Chanpatiya P.S. Case No. 244 of 2026, subject to the following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii) If the petitioner tamper with the

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evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(Girijish Kumar, J)

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