IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77640 of 2026

CNR No. BRHC011098762026

Arising Out of PS. Case No.-368 Year-2025 Thana- PIPRA District- Supaul

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1. Sukhshen Kumar son of Late Upendra Yadav Resident Of Village- Jhokair Ward No 16 PS -Pipra District -Supaul
2. Dilkhush Kumar son of Bhupendra Yadav Resident Of Village- Jhokair Ward No 16 PS -Pipra District -Supaul

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
Ms. Pooja Prasad, Advocate
Mr. Manoj Kumar, Advocate
For the State : Mrs. Pushpa Singh, APP
For the Informant : Mr. Binay Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 04-11-2026 Heard the learned counsel for the parties.

2. Petitioners, who are in custody, seek bail in connection with Pipra P.S. Case No. 368 of 2025 registered for the offences punishable under Sections 191(2), 126(2), 115(2), 109, 352 and 351(2) of the B.N.S. and under Section 27 of the Arms Act.

3. As per the prosecution case, the allegation made by the informant is that all the named accused persons along with ten unknown accused persons arrived at the fields and initially fired from a gun and thereafter all the accused persons assaulted

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the informant. It is further alleged that when the informant's brother came to his rescue, the accused persons even assaulted him.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated with general and omnibus allegations. It has further been submitted that on account of land dispute the petitioners have been implicated and though the injury sustained by the informant is stated to be grievous as appears from the impugned order, however, it has been pointed out that the injury was on the hand causing fracture. It has next been submitted that the petitioners have clean antecedents and they are in custody since 24.07.2026. It has lastly been submitted that similarly situated accused persons, namely, Chandra Kishore Kumar Yadav @ Chandra Kishore Kumar and Kartik Kumar @ Vivek Kumar, were granted bail by a coordinate Bench of this Court by order dated 09.07.2026 passed in Criminal Miscellaneous No. 44856 of 2026.

5. The learned APP as well as learned counsel appearing on behalf of the informant have vehemently opposed the prayer for bail and it has been pointed out that the petitioners along with others had brutally assaulted the informant and has

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caused grievous injury and fracture on the hand.

6. Having heard the learned counsel for the parties and taking into account the fact that the allegations made in the FIR are general and omnibus and also the fact that similarly situated accused persons have been enlarged on bail, let the petitioners, above named, 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 the learned court below where the case is pending/successor court in connection Pipra P.S. Case No. 368 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative and the other shall be local resident.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The learned Court below shall verify the criminal

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antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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