

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3430 of 2026

Arising Out of PS. Case No.-22 Year-2025 Thana- GOPALPUR District- Gopalganj

Surendra Bhagat @ Bhuteli @ Bhuteli Bhagat S/O Durga Bhagat R/O Vill.-
Garya Khal Dhodhawaliya, P.S- Gopalpur, Dist.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Uday Chand Prasad

Mr. Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

3 20-02-2026

Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in connection with Gopalpur P.S. Case No.22 of 2025, dated 22.01.2025 registered for the offence punishable under Sections 126(1), 115(2), 109(1), 351(1), 351, 352, 3(5) and 10391) of the Bharatiya Nyaya Sanhita.

3. As per the FIR, the petitioner, along with other co-accused persons, brutally assaulted the informant's father, causing him to sustain injuries. When the informant and others came to his rescue, they were also assaulted by the accused persons. The informant's father subsequently died during the course of treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He further submits that the specific allegations are against co-accused Virendra Bhagat and Durga Bhagat, who are



alleged to have inflicted iron rod blows on the head of the informant's father, resulting in his death. It is next submitted that there is a counter version of the entire incident, and that the petitioner's father has instituted Gopalpur P.S. Case No. 21 of 2025 against the informant's side, wherein the petitioner's injured brother succumbed to his injuries on 26.01.2025 during the course of treatment. It is further submitted that both sides are agnates and that the alleged occurrence took place due to an old dispute. Lastly, it is submitted that the petitioner has no criminal antecedents.

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

6. Considering the fact that death of family members have been caused to both sides and they are agnates, as such, not to allow the things to further precipitate and putting the existing dispute at rest and not to aggravate further, let the above-named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Principal Sessions



Judge, Gopalganj/ Successor Court in connection with Gopalpur P.S. Case No.22 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/ personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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