

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.172 of 2026

Arising Out of PS. Case No.-741 Year-2024 Thana- MAJHAULIA District- West Champaran

1. Anil Kumar S/o Prahlad Bhagat R/o Ward - 14, Village- Bhaluhi, P.S.- Mauhaulia, West Champaran at Bettiah, Bihar
2. Prahlad Bhagat S/o Late Sitaram Bhagat R/o Ward- 14, Village- Bhaluhi, P.S.- Mauhaulia, West Champaran at Bettiah, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Dhananjay Kumar, Advocate
For the State	:	Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-02-2026 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 126(2), 115(2), 118(1), 117(2), 109(1), 103(2) and 3(5) of the B.N.S., 2023.

3. As per prosecution case, it is alleged that all the F.I.R. named accused persons, including these petitioners, caught son of informant, namely Narendra Kumar and took him in their house and after closing the door, brutally assaulted him with *lathi*, knife and other weapons, as a result of which, he died during course of treatment.

4. Learned counsel for the petitioners submits that



petitioners are quite innocent and have committed no offence. Informant is not eye-witness to the occurrence and only due to land dispute between the parties, petitioners and other family members have been made accused in this case. As per F.I.R., all six named accused persons are alleged to have assaulted the deceased, however, as per the *post mortem* report, only three injuries were found on the person of deceased, which itself falsifies the entire prosecution case. It is further submitted that co-accused Sikandar Kumar, having similar and identical allegations, has already been granted bail by this Hon'ble Court vide order dated 10.11.2025 passed in *Cr. Misc. No. 53250 of 2025*. Moreover, charge-sheet has already been submitted and petitioners, having no criminal antecedents, are in custody since 13.12.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners and submitted that petitioners are named in the F.I.R. with specific accusation that they, along with other accused persons, assaulted son of informant due to which, during course of treatment, he died. It is further submitted that informant has seen Petitioner No. 1, namely Anil Kumar, assaulted the deceased with iron rod.

6. Considering the facts and circumstances of the



case, fact that Petitioner No. 1 appears to be one of the assailant of the deceased, the prayer for grant of bail to Petitioner No. 1 is rejected.

7. So far as Petitioner No. 2 is concerned, considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity, clean antecedents of the petitioner and period of custody, the prayer for grant of bail to Petitioner No. 2 is allowed.

8. Accordingly, let the above named Petitioner No. 2 be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., West Champaran, Bettiah in connection with Majhaulia P.S. Case No. 741 of 2024.

9. With the aforesaid directions, this application stands disposed of.

(Prabhat Kumar Singh, J)

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