

IN THE COURT OF SRI RAJ NARAYAN NIGAM, DISTRICT & ADDITIONAL SESSIONS JUDGE- I,
BHAGALPUR

Bail Petition No. 524/2026
(Arising out of Pirpainty P.S. Case No. 117/2026)
U/s 103(1), 61(2), 3(5) BNS & 27 Arms Act.
Dipak Kumar versus The State of Bihar

Dipak Kumar, age 28 years, S/o Basudev Yadav.
R/o Village- Sundarpur, P.S- Pirpanity, District- Bhagalpur.

.....Petitioner

Versus

The State of Bihar

.....Opposite Party

For the Petitioner : Mr. Pramod Kumar Yadav, Ld. Advocate.
For the State : Mr. Vijay Kumar Singh, Additional P.P.

Date of order or proceeding	Order with signature of the court	Office action taken with date
2	3	4
19-06-2026	The accused-petitioner namely Dipak Kumar who is in custody since 12-03-2026 has filed this bail petition in connection with Pirpainty P.S. Case No. 117/2026 registered under section 103(1), 61(2), 3(5) BNS & 27 Arms Act. On behalf of the Petitioner a certificate has been given in Para 2 of petition that earlier petitioner has not filed any bail petition in any form on previous occasion either in the court of Learned Sessions Judge, Bhagalpur or before the Hon'ble High Court Patna. Further, the petitioner bears clean antecedent as per Para 3 of bail petition. Prosecution case in brief as per written application of informant Dilip Jha is that 09-03-2026, at around 10:00 PM, he received information from villagers that his son, Rishabh Kumar, had been taken to Mayaganj Hospital, Bhagalpur for treatment. When informant along with his family members, reached Mayaganj Hospital, Bhagalpur at around 12:00 AM in the night, he saw that his son was lying unconscious in the OPD and he was informed by the doctor that he had undergone surgery and on 10-03-2026, at around 5:00 AM, his son Rishabh Jha was declared dead by the treating doctor. Informant further stated that on 09-03-2026, at around 6:00 PM, Saurabh Kumar @ Mayank Gupta, came to his house on his motorcycle and took his son Rishabh Kumar along with him and they went to the tent godown of Bhanu Kumar Sah where Bhanu Kumar Sah @ Sanjeev Kumar Sah, Pritam Kumar, Rahul Ranjan @ Monu were already present. At the godown, after an argument arose among them, Saurabh Kumar @ Mayank Gupta shot his son Rishabh Jha in the stomach and following this, all the aforementioned individuals together took his injured son to Mayaganj Hospital. Along	

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with the above named accuse d persons, Dipak Kumar, was also present. He further stated that his son used to frequently mention during conversations at home that he had lended some money to Saurabh Kumar alias Mayank Gupta regarding land plotting, and he was refusing to pay back. Informant further stated that Saurabh Kumar @ Mayank Gupta, along with his associates Bhanu Kumar Sah @ Sanjeev Kumar Sah, Pritam Kumar, Rahul Ranjan @ Monu and Dipak Kumar shot his son Rishabh Jha under a conspiracy and to save themselves, they admitted son Rishabh Kumar at Mayaganj Hospital, Bhagalpur, without lodging an FIR or informing any family members. Hence, the FIR.

The learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in this case under wrong impression. He further submitted that there is no any allegation of assault against this petitioner. He further submitted that there is no direct, indirect or circumstantial evidence against this petitioner and his name has been dragged on the basis of suspicion and presumption. Petitioner is in custody since 12-03-2026. Hence, it is prayed to enlarge the petitioner on bail.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail.

Heard both sides. Perused the case diary. Having regard to the facts and circumstances of the case this court finds that there is allegation that the petitioner along with other co-accused under a conspiracy fired bullet in the stomach of deceased and thereafter took him hospital where he died during treatment. Petitioner is named in FIR. Inquest report of petitioner reveals that death of petitioner is due to fire arm injury and he died during treatment. Informant in his re-statement mentioned in para-4 of case dairy have reiterated the prosecution story and witnesses in para 38 and 39 of case dairy have supported the prosecution version. Para-29 of case dairy reveals that on identification of Saurav @ Mayank Gupta and Sanjeev Kumar from the tent house of Sanjeev Kumar Sah @ Bhanu one country made firearm loaded with magazine, 3 live cartridges and one fired shell was recovered and Saurav @ Mayank Gupta and Sanjeev Kumar Sah @ Bhanu failed to provide any license of the same. Para-46 of case dairy reveals that one country made firearm and one fired shell was sent to RFSL, Bhagalpur

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