

IN THE COURT OF SRI DEEPAK KUMAR-I, ADDITIONAL SESSIONS JUDGE- II, BHAGALPUR

Bail Petition No. 780/2026

(Arising out of **Sultanganj P.S. Case No. 292/2023**)

U/s 147, 148, 149, 341, 323, 326, 307 IPC and section 27 Arms Act.

Deepak Kumar, age 26 years, S/o Babulal Hajari, R/o village Dumariya Hajari Tola, P.S. Parbatta,
District Khagaria **Petitioner**

Versus

The State of Bihar **Opposite Party**

Appearance:

For the Petitioner: Mr. Basuki Nath Pandey, Advocate.

For the State: Mr. Abhay Kumar Singh, Learned A.P.P.

Date of Order	Order with Signature of the Court
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16.07.2026	A regular bail application has filed on behalf of the above named accused-petitioner who is in judicial custody since 15.06.2026 in connection with Sultanganj P.S. Case No. 292/2023 for the offence punishable U/s 147, 148, 149, 341, 323, 326, 307 IPC and 27 Arms Act. On behalf of petitioner a certificate has been given at para-2 of the bail petition that earlier petitioner has not filed any regular or anticipatory bail petition before the Ld. Principal Sessions Judge, Bhagalpur or before the Hon'ble High Court, Patna. In para-3 of bail petition, a certificate has been given that accused-petitioner has five criminal antecedents bearing Parbatta P.S. Case No. 208/23, Parbatta P.S. Case No. 340/19, Parbatta P.S. Case No. 49/2020, Parbatta P.S. Case No. 230/2020 and Parbatta P.S. Case No. 381/2020 in which he is on bail. Prosecution case, as per Fardbeyan of informant Manish Mishra, in brief is that on 04.06.2023 at about 19:30 hours, informant alongwith his villagers Utkarsh Kumar, Ankit Kumar and Prince Kumar were crossing Ganga River and reached Sultanganj Ghat at 6:30 p.m. Thereafter, they were going to Sultanganj railway station, in the meanwhile, his villager Mithun Markandey and Satyam Kumar and 7-8 unknown persons having with lathi-danda in their hands and started assaulted on the instigation of Deepak Kumar (petitioner). Thereafter, Satyam Kumar fired a bullet upon the informant with intention to kill by which he sustained neck injury. Thereafter, they fled away and his associates were also fled away. Thereafter, informant/injured were taken to hospital by police. Thereafter, he believed that Deepak Kumar, Satyam Kumar, Mithun Markandey and 7-8 unknown persons assaulted the informant with intention to kill due to previous enmity. Hence, this FIR is lodged. The Ld. counsel for the petitioner submitted that the petitioner is innocent and has not committed any offence and he has falsely been implicated in this case. Further, submits that accused-petitioner was not present at the spot and matter has already been compromised between both the parties peacefully and both parties are villagers to each other and regular bail of other co-

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accused has already been granted by the Court vide in B.P. No. 440/2025. Further, submits that petitioner is in judicial custody since 15.06.2026, hence, petitioner deserves bail.

On the other hand, the Learned Additional Public Prosecutor for the State opposed the prayer for bail of the petitioner.

Heard both the parties.

Perused the case record and on perusal the same it transpires that there is allegation against this accused-petitioner that co-accused Mithun Markandey and Satyam Kumar and 7-8 unknown persons having with lathi-danda in their hands and started assaulted the informant on the instigation of Deepak Kumar (petitioner). Para-2 of the case diary is the re-statement of informant who reiterated the prosecution case. Para- 20, 21, 22, 99 and 100 of the case diary are the statements of witnesses who have also supported the prosecution case. Para-157 of the case diary is the injury report of injured Manish Mishra reveals that the doctor has found laceration in right cheek to throat size 4 cm long 3 cm deep approx, bleeding, entry wound present, no exist wound present inward margin, multiple dark spot in face and right ear and patient was referred for X-ray of throat wait for injury report and opinion reserved. Para-160 of the case diary reveals that injured Manish Mishra was not being treated at JLNMC and he treated in private hospital. Further, on perusal of case record it reveals that accused-petitioner has five criminal antecedents bearing Parbatta P.S. Case No. 208/23, U/s 341, 325, 504, 506, 307, 34 IPC, Parbatta P.S. Case No. 340/23 U/s 341, 323, 379, 504, 506, 34 IPC, Parbatta P.S. Case No. 49/2020 U/s 341, 323, 307, 504, 506, 34 IPC, Parbatta P.S. Case No. 230/20 U/s 341, 323, 324, 385, 504, 506, 34 IPC and Parbatta P.S. Case No. 381/2020 U/s 147, 148, 149, 341, 323, 307, 386, 504, 506 IPC and 25 (1-b)a, 26, 35 Arms Act which shows that accused-petitioner is a habitual offender.

Keeping in view the gravity of the offence, the allegation as alleged against the petitioner is serious in nature. Therefore, this Court is of the opinion that the applicant/petitioner is not entitled to grant of bail. Hence, this Bail Petition is hereby **Rejected**.

Sd/-

Additional Sessions Judge II
Bhagalpur.

Date of Judgment/Order	16.07.2026
Date of Reserving Judgment/Order	N/A
Uploading Date	27.07.2026
Uploaded By	Stenographer

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