

IN THE COURT OF SESSIONS JUDGE, BUXAR

B.P. No. 106 of 2026

(Arising out of Tilak Rai ke Hata P.S. Case No. 12/2026)

1. Umashankar Mishra @ Bittu Mishra, aged about 30 years,
 2. Shiv Shankar Misra @ Chitu Mishra, aged about 27 years,
both are sons of Ashok Mishra
 3. Ashok Mishra, aged about 54 years, S/o Late Binay Shankar Mishra
- All are R/o Village- Keshopur, Police Station- Tilak Rai ke Hata, District- Buxar
..... Petitioners

Versus

State of Bihar

..... Respondent

Appearance:

Learned Public Prosecutor for the State: Sri Kedar Nath Tiwari.

Learned Counsel for the Petitioners: Md. Naqueem Ahamad, Ld. Adv.

Learned Counsel for the informant: Sri Mahadeo Mishra, Ld. Adv.

Date of Order: 10th March, 2026

Present: Kajal Jhamb
Sessions Judge, Buxar

Regular Bail Petition filed on behalf of petitioners named above, who are in custody since 23.02.2026 in connection with **Tilak Rai ke Hata P.S. Case No. 12/2026** registered u/s 126(2), 115(2), 118(1), 110, 352, 351(2), 3(5) of B.N.S. is put up and moved today.

Copy of bail petition has already been served to the Learned Public Prosecutor for the State.

Learned Counsel for the petitioners certifies that no other bail petition has ever been filed on behalf of the petitioners in this matter either before this Court or before any other Superior Court. The petitioners have got no criminal antecedent. Prosecution has no objection to the submissions.

The Counsel further submits that, petitioners are quite innocent and have been falsely implicated in this case. The petitioners surrendered before learned Trial Court on 23.02.2026 and since then they are in custody. Both parties hail from same family and the occurrence took place because of dispute of payment of Malgujari. The case has been amicably settled. A compromise and permission petition has also been filed in the present case. The mother of petitioner no. 3 Ashok Mishra expired on 01.03.2026 and rituals is scheduled on 12.03.2026. Therefore, compassionate view may be taken and the petitioners may be enlarged on bail. The petitioners undertake to fulfill all the conditions that the Court may feel appropriate to impose.

Learned P.P. for the State vehemently opposes the Bail Petition on the ground of nature and seriousness of offence but fairly admits that case has been compromised.

Learned Counsel for informant also admits that a compromise has taken place

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between the parties and informant has no objection if the petitioners are granted bail.

Prosecution case in brief according to written petition of informant Ajeet Mishra is that on 22.01.2026 at about 07.00 P.M. he went on his field to collect money of *Malgujari*, where his co-villagers /petitioners abused him and refused to give the money. When informant objected, all the accused persons assaulted him with fists and kicks. It is alleged that the petitioner Umashankar Mishra attacked him with knife on his head. The co-villagers gathered and save him and took him to Simri Hospital for treatment.

Heard learned Counsels of both parties and perused the case record. The case record shows that on 02.03.2026 the informant Ajeet Mishra appeared in person before the Court and supported the factum of compromise. He also admits that there was a minor altercation in which he suffered only simple injuries. Now, good sense has prevailed and both parties have amicably settled the matter. He has also filed his affidavit stating that he suffered only minor injuries. The compromise petition and permission petition is also on record. As submitted, the petitioners have got no criminal antecedent.

Thus, considering the submissions of learned Counsels of both sides and facts and circumstances of the case, the anticipatory bail petition of the petitioners namely **Umashankar Mishra @ Bittu Mishra, Shiv Shankar Mishra @ Chitu Mishra and Ashok Mishra** is hereby **allowed** on furnishing bail bond of **Rs.10,000/- each with two sureties of the like amount each** to the satisfaction of the learned Trial Court in the event of their arrest or surrender **within 04 weeks** period from today subject to conditions as laid down u/s u/s 482 of the Bharatiya Nagarik Suraksha Sanhita (B.N.S.S.) [earlier 438(2) Cr.P.C.] **subject to condition that**, if at any stage the submission made on behalf of petitioners regarding their clean antecedent is found incorrect, the prosecution will be at liberty to pray for cancellation of bail given to the petitioners.

Dictated
Sd/- Kajal Jhamb
Sessions Judge, Buxar
10.03.2026

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