

Court of Sessions Judge, Darbhanga.

Present :- Shri Shiv Gopal Mishra, Sessions Judge, Darbhanga.

B.P. No. 200/2026 (Roushan Kumar Vs. State of Bihar)

In the Court of Sessions Judge, Darbhanga, Bihar

B.P.No. 200 of 2026

In the matter of:-

Roushan Kumar son of Binod Bihari @ Binod Prasad -----Petitioner.

Vs.

The State of Bihar-----Opposite Party.

For the petitioner : Sri I.R. Bismil, Learned Advocate.

For the O.P.(State) : Sri Amrendra Narayan Jha, Learned P. P.

For the informant : Sri Ravi Shankar Prasad, Learned Advocate.

ORDER

04. 17-03-2026. This is an application for bail filed on behalf of above named petitioner, who is in jail custody since 21.11.2025 in connection with Town P.S. Case No. 173/2025 registered for offence u/s 126(2), 127(2), 115(2),109, 303(2), 324(4), 118(2), 352 and 351(2)/ 3(5) of the BNS.

Heard learned counsel for the petitioner as well as learned P.P. for the State.

As per FIR, prosecution case in short is that informant namely Dr. Bimlendu Kumar who is currently working as a Specialist Medical Officer at Sub-divisional Hospital, Jhanjharpur. It is further alleged that on 29.09.2025 at about 10 AM, when the informant was going to Jhanjharpur for duty in his car bearing registration no. BR01H5165, in the meantime, some people had deliberately blocked the road at the mouth of the road leading from informant house by placing fruit and vegetables carats. It is further alleged that when the informant step out of his car and started removing the goods that was obstructing the road, suddenly, under a conspiracy accused persons namely Binod Bihari started abusing the informant and his driver Mithilesh Sahni and also giving threat of killing and started damaging the car. It is further alleged that family members of the accused person namely Roushan Kumar, Prince Kumar, Khushi Kumari, Rajkumari Devi, Kiran Devi and 2-3 other miscreants duly armed with lethal

Cont...

Cont...

17-03-2026

sharp weapons and rods and sticks, attacked over the informant and his driver with the intention of killing him as a result of which informant sustained left eye injury and below it and blood was oozing out. It is further alleged that accused Roushan Kumar and Prince Kumar wrapped the scarf on the neck of the informant and also bite on the hand of the informant. It is further alleged that accused persons also took some government papers and Rs. 5,000/- from the car of the informant. It is further alleged that accused persons also snatched watch and Rs. 10,000/- from the pocket of the informant.

Learned counsel for the petitioner submitted that the petitioner is innocent and he has committed no offence. It is further submitted that the petitioner has been falsely implicated in this case due to personal grudge and enmity. He further submitted that petitioner and the informant are residing in a same Mohalla. He further submitted that all sections are bailable except section 109 is not made out against the petitioner and other so far the allegation of theft is entirely false and fabricated. He further submitted that no specific overt act of assault is alleged against accused petitioner. He further submitted that the accused petitioner has no any criminal antecedent. He further submitted that accused petitioner is in jail custody since 21.11.2025. It is therefore prayed to enlarge the petitioner on bail.

On the other hand, learned P.P. for the State opposed the prayer for bail of the petitioner.

From the perusal of FIR as well as case diary, it is alleged against accused petitioner that he along with other abused and assaulted to the informant and his driver with iron rod, lathi and sharp weapon and committed theft. It is specifically alleged against accused petitioner that he wrapped Gamcha around the neck of the informant, due to which he sustained gagged injury. The injured

Cont...

Cont...

17-03-2026

Bimlendu has sustained only simple injury over his person. It is stated by the accused petitioner that he has no criminal antecedent. The accused petitioner is in jail custody since 21.11.2025 i.e. about four months.

Considering the above facts and circumstances of the case discussed above as well as the period of custody already undergone, instant bail petition filed on behalf of petitioner is hereby **allowed** and petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below.

(Dictated)

(Shiv Gopal Mishra)
Sessions Judge,
Darbhanga.
17-03-2026.