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**In the Court of Sessions Judge, East Champaran at Motihari.**

**Present:-**

**Abhishek K. Das**  
**Sessions Judge,**  
**East Champaran at Motihari.**

**Bail Petition No. 641 of 2026**

**1. Darvesh Kumar, aged about 30 years, S/o- Subhnarayan Prasad.**  
R/o of village-Jagihara, P.S. Kundwa Chainpur, District-East  
Champaran. -----**Petitioner.**

**Versus**

**The State of Bihar.** -----**Opposite party.**

**Counsel for the Petitioner :- Sri Kameshwar Pd. Sinha, Advocate.**  
**Counsel for the State :- Sri Khublal Prasad, P.P.**  
**Counsel for the Informant :- Sri Rakesh Kumar, Advocate.**

**15.04.2026**

This bail petition is filed on behalf of petitioner, namely, Darvesh Kumar, who is in judicial custody since 19.02.2026 in connection with Kundwa Chainpur P.S. Case No. 26 of 2026 u/s 126(2), 115(2), 118(1), 329(4), 326(g), 352, 76, 351(1), 109(1) and 3(5) of Bharatiya Nyaya Sanhita, 2023 (hereinafter B.N.S.).

**As per para-2 of the bail petition, no other regular or anticipatory bail petition has ever been filed on behalf of the petitioner either in this Court or before the Hon'ble Patna High Court. As per para-3 of the bail petition the petitioner has two criminal antecedents vide (1) Kundwa Chainpur P.S. Case No. 182/2023 and (2) Kundwa Chainpur P.S. Case No. 172/2025 and as per para-4 of the bail petition the petitioner is in judicial custody since 19.02.2026.**

As per F.I.R., when the informant Asha Devi was at her house, all the persons named in the F.I.R. including the petitioner alongwith 30-40 unknown persons armed with lathi, farsa, iron rod and country made pistol came there and abused her and also threatened to kill her entire family, if the land will not be vacated. Meanwhile, Shyam Kumar started abusing and ordered to kill her, upon which Satyendra Kumar repeatedly gave blows of farsa on her father-in-law, resulting in injuries over hand and ear. Shyam Kumar assaulted her father-in-law with iron rod, due to which he fell down and became unconscious. Anil Kumar, Haribhagwan Rai and other persons also assaulted him with iron rod. Anil Kumar assaulted Arjun Kumar with farsa, resulting in head injury and other person assaulted him with iron rod. Ram Vishwas Kumar and Shyam Kumar assaulted Sohan Kumar with iron rod, resulting in hand injuries. Navin Prabhat assaulted Sushila Devi with farsa, resulting in hand injury. Raman Rai, Raju Kumar, Raj Kumar and Uma Shankar Kumar assaulted the informant and Rina Devi and torn cloths of her sister-in-law, due to which she

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became unveiled. Ram Swaroop Rai opened fire with country made pistol. The accused persons also commit loot in the informant's house.

The learned counsel for the petitioner has submitted that the petitioner is quite innocent and he has committed no offence. All the alleged offences are bailable, except Sections 76, 109(1), and 326(g) of B.N.S. which are super addition. The allegation against the petitioner is general and vague and not specific. There is a counter case vide Kundwa Chainpur P.S. Case No. 25/2026 lodged by co-accused against the informant.

The learned Public Prosecutor appearing on behalf of the State and learned counsel appearing on behalf of the informant have opposed the prayer for bail.

Heard both sides and perused the record. From perusal of the record, it transpires that the petitioner is named in the F.I.R. with the allegation he alongwith other co-accused persons assaulted the informant and his family members. As per para-49 of the case diary, containing injury report, (1) Arjun Kumar received lacerated wound over right frontal region of head of 4cm x 1cm alongwith five other injuries, caused by hard and blunt substance, (2) Binda Ray received lacerated wound over frontal region of head of size 3cm x 1cm x 1cm alongwith two others injury, injury nos. 1 and 2 are simple and injury no.3 is grievous, caused by hard and blunt substance, (3) Sohan Kumar received lacerated wound over right hand of size 3cm x 2cm x 1cm, caused by hard and blunt substance, (4) Rina Devi received multiple injuries including bruise and abrasion and (5) Shila Devi received lacerated wound over left wrist of size 4cm x 3cm x 0.5cm, caused by hard and blunt substance. As per para-12, 13, 14, 15 of the case diary, the informant in her restatement and the witnesses in their statements have corroborated the version of F.I.R. and supported the prosecution case also. As per para-3 of the bail petition and para-43 of the case diary, the petitioner has two criminal antecedent. As per para-50 of the case diary, investigation is under progress.

In the facts of the case as discussed above and keeping in view the nature of allegation, materials available in the case diary and injury reports of many injured as well as ongoing status of investigation, I am not inclined to enlarge the petitioner on bail at this stage. Accordingly, the prayer for bail of the petitioner, namely, **Darvesh Kumar** stands **rejected**.

The petitioner may renew his prayer for bail after framing of charge, if so advised.

(Dictated)

Sd/-

Sessions Judge  
East Champaran at Motihari  
15.04.2026