

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

Present:-

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

Bail Petition No. 1292 of 2026

1. Gena Prasad @ Gena Bhagat, aged about 64 years, S/o- Dukhit Prasad.

Resident of village- Mahuawa, P.S. Pipra, District- East Champaran.

----- **Petitioner.**

Versus

The State of Bihar

----- **Opposite party.**

Counsel for the Petitioner :- Sri Biresh Kumar Sah, Advocate

Counsel for the State :- Sri Khublal Prasad, Public Prosecutor.

06.06.2026

This bail petition is filed on behalf of the petitioner, namely, **(1) Gena Prasad @ Gena Bhagat**, who is in judicial custody since 24.04.2026 in connection with Pipra P.S. Case No. 563 of 2025 u/ss 103(1), 80 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

In para-2 of the bail petition, it is mentioned that after an anticipatory bail vide A.B.P. No. 1086/2026 was filed in this court and the same was disposed of and the petitioner filed an anticipatory bail vide Token No./Cr. Misc. No. 30830/2026 before the Hon'ble Patna High Court which was withdrawn by petition, except that no other anticipatory or regular bail petition has ever been filed on behalf of the petitioner either in this Court or before the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 no criminal antecedent and as per para-4 of the bail petition, the petitioner is in judicial custody since 24.04.2026.

As per F.I.R., the informant's sister Ranju Kumari was married to Deepak Kumar in 2016 and from the said wedlock they blessed with three children. Meanwhile, all the persons named in the F.I.R. including the petitioner demanded dowry in shape of Rs. 5,00,000/- and also subjected to cruelty with his sister due to non-fulfillment of the same. On 20.12.2025 at 4:00 hours, the informant received information that on the order of mother-in-law Manju Devi, Deepak Kumar, Jaggu Bhagat and Happy Kumari committed murder of his sister by pressing her neck due to non-fulfillment of dowry demand and at the time of her murder Gena Prasad (petitioner) and Shobha Devi were also involved. On getting information when the informant went there, Subhash Prasad assaulted and threatened to kill him.

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The learned counsel for the petitioner has submitted that the petitioner is innocent and he has committed no offence. Nothing incriminating has been recovered from his possession. The petitioner is distant relative of the deceased and he has no concern with the deceased's family. He has been falsely implicated in this case due to village party politics.

The learned Public Prosecutor appearing on behalf of the State has opposed the prayer for bail.

Heard both sides and perused the record. As per F.I.R., the petitioner and other co-accused used to demand dowry in shape of Rs. 5,00,000/- from the informant's sister and subjected to cruelty. Meanwhile, on 22.12.2025 the accused persons Deepak Kumar, Jaggu Bhagat and Happy Kumari murdered the informant's sister and Gena Prasad (petitioner) and Shobha Devi were also involved in that crime. As per para-32 of the case diary containing post-mortem report, the victim has received injuries i.e. abrasion over right elbow on lateral side of size-1"x1/2" inch and abrasion over right upper ear of size- 1/2"x1/2" inch and cause of death has been kept reserved. As per para-3, 4, 5 of the case diary, the informant in his restatement and the witnesses have supported the prosecution case. As per para-3 of the bail petition and para-29 of the case diary, the petitioner has no criminal antecedent. As per para-61 of the case diary, investigation is under progress.

In the facts of the case and keeping in view the nature of allegation, gravity of offence and materials available in the case diary, I am not inclined to enlarge the petitioner on bail at this stage. Accordingly, the prayer for bail of petitioner, namely, **Gena Prasad @ Gena Bhagat** stands rejected.

The petitioner shall have liberty to renew the prayer of bail after six months of custody, if so advised.

(Dictated)

sd/-

Sessions Judge
East Champaran, Motihari
06.06.2026