

In the court of Ist Addl. Sessions Judge, Sheikhpura.

Presiding Officer: Sri Neeraj Kishore

Bail Petition No. 553/2026

Amit Gupta @ Amit Vs. State of Bihar

In the court of Ist Addl. Sessions Judge, Sheikhpura.

Presiding Officer: Sri Neeraj Kishore

Bail Petition No. 553/2026

Amit Gupta @ Amit Vs. State of Bihar

Arising out of Sheikhpura SC/ST P.S. Case No. 31/2026

U/s – 109(1), 126(2), 115(2), 118(1), 76, 303(2), 352, 351(2) of BNS r/w

Sec. 3(1)(r)(s), 3(2)(va) of SC/ST Act.

1. Amit Gupta @ Amit, aged about 25 years

S/o Late Munna Gupta

R/o Vill. – Sakaldev Nagar, Barbigaha

P.S – Mission

Dist.- Sheikhpura

..... **Petitioner**

Vs.

State of Bihar

..... **O.P**

Counsel for the petitioner ----- Sri Banarasi Prasad Yadav, Ld. Advocate

Counsel for the State -----Sri. Chandramauleshwar Prasad, Ld. Spl. P.P

ORDER

27.05.2026 Bail petition dated 16.05.2026, filed on behalf of the accused/petitioner Amit Gupta @ Amit who is in custody since 15.05.2026 in connection with Sheikhpura SC/ST P.S. Case No. 31/2026, under Sections- 109(1), 126(2), 115(2), 118(1), 76, 303(2), 352, 351(2) of BNS r/w Sec. 3(1)(r)(s), 3(2)(va) of SC/ST Act pressed today.

Pressing the bail petition, learned counsel for the petitioner has submitted that no bail petition either regular or anticipatory has been filed on behalf of the petitioner either before this Sessions Division or before the Hon'ble High Court and the petitioner has no criminal antecedent. It has been further submitted that the petitioner is quite innocent and has committed no offence and has been falsely implicated in this case. It has been submitted that there is no allegation of commission of overt act against the petitioner and the present case is the counter blast of Mission P.S. Case No. 28/2026 lodged by the petitioner's side.

Sheikhpura SC/ST P.S. Case No. 31/2026 Dated- 27.05.2026 Addl. S.J.Ist, Sheikhpura

In the court of Ist Addl. Sessions Judge, Sheikhpura.

Presiding Officer: Sri Neeraj Kishore

Bail Petition No. 553/2026

Amit Gupta @ Amit Vs. State of Bihar

Learned counsel has sought to enlarge the petitioner on the privilege of anticipatory bail.

On the other hand, learned Spl. P.P. has opposed the petition for bail.

Case diary has been received.

I have heard the submissions and gone through the materials available on the record, it transpires that no other bail petition of any nature is pending on behalf of the petitioner, either before this Sessions Division or before the Hon'ble High Court and petitioner has no criminal antecedent as revealed from Para 29 of the case diary. It transpires that the instant FIR has been instituted at the instance of informant Rajesh Kumar alleging therein that on 13.05.2026 at about 09:00 PM he along with his elder brother Rakesh Ranjan who is a teacher were coming home after purchasing vegetables when his brother Rakesh Ranjan received a call from Alok Gupta who called him, however, they did not go to meet Alok Gupta. It is alleged that the informant and his brother were intercepted on the way by accused Alok Gupta, Amit Gupta, Saurav Gupta and Rishu Kumar who not only abused the informant and his brother on their caste line, but also caught hold of them and assaulted them by hockey stick, stones, bricks and iron rod causing head injury at his head and his brother's head. The left hand of his brother was also fractured. On hulla, when his mother Pratima Raj came to save them, she was also abused on her caste line and was also assaulted causing injury at right hand of her mother. It is further alleged that accused Alok Gupta and Rishu Kumar also snatched gold chain and earrings from the person of his mother. The accused threatened the informant with dire consequences if any police case was lodged.

Perusal of the case diary shows that the informant has supported his case in his restatement at Para 3 and the witnesses at Para 8, 9 and 10 have also supported the prosecution case. Para 12 of the case diary shows that due to fear of the accused, no one agreed to record their statement as independent witness. The injury report of injured Rakesh Kumar shows that injured sustained lacerated wound of size ½" x 1/6" on forehead and multiple swelling in wrist left hand. The injury at left hand was found grievous due to undisplaced fracture at distal radius. The injury report of injured Pratima Raj shows a lacerated wound of size ½" x 1/6" on right index finger and swelling in upper part of scalp. The injury was found simple in nature and the injury report of injured Rakesh Kumar shows a lacerated wound of size ½" x 1/6" on upper part of scalp and lacerated wound of size ½" x

Sheikhpura SC/ST P.S. Case No. 31/2026 Dated- 27.05.2026 Addl. S.J.Ist, Sheikhpura

In the court of Ist Addl. Sessions Judge, Sheikhpura.

Presiding Officer: Sri Neeraj Kishore

Bail Petition No. 553/2026

Amit Gupta @ Amit Vs. State of Bihar

1/6" on back of scalp. All the injuries were found to be caused by hard and blunt object. It appears that there is general and omnibus allegation against the petitioner. The informant has not stated as to who assaulted him and his brother. It is alleged that four assailants assaulted the informant and his brother by hockey stick, iron rod, bricks and stones, however, the informant sustained only a single injury at his forehead and his brother has sustained two injuries. The dimension of the injuries are of size 1/2" x 1/6" which shows that the injuries were superficial in nature. It further transpires that apart from offences u/s 109(1), 118(1), 76 and 303(2) of BNS, all other alleged offences are bailable in nature. The petitioner is in custody since 15.05.2026. There is also a counter case between the parties vide Mission P.S. Case No. 28/2026 which is earlier in time. The offences u/s 3(1)(r)(s), 3(2)(va) of SC/ST Act are not punishable with more than seven years.

Under these circumstances considering the nature of offence and its gravity as well as the general and omnibus allegations against the petitioner, I deem it fit and proper to enlarge the petitioner Amit Gupta @ Amit on the privilege of bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount subject to the satisfaction of the Id. Trial Court.

Consequently, the instant bail petition dated 16.05.2026 stands **allowed**.

Dictated

(Neeraj Kishore)
Addl. Sessions Judge- 1st
Sheikhpura

Date of Judgment /Order	27.05.2026
Date of Reserving Judgment/Order	27.05.2026
Uploading date	29.05.2026
Uploaded by	Md. Reyazul Haque