

**In the Court of Motish Kumar Singh Principal Sessions Judge, Siwan**  
**Bail Petition No. 248/2026**  
**Siswan P.S Case No. 308/2025**

**Sushil Bhagat@ Potan@ Sushil Kumar Bhagat@ Sushil Kumar Bhakt S/o- Patiram Bhagat.....Petitioner**  
**Versus**  
**The State of Bihar.....Opposite Party.**

**06.03.2026**

**ORDER**

1. Learned counsel for the petitioner moves present bail application filed on behalf of the accused-petitioner namely **Sushil Bhagat@ Potan@ Sushil Kumar Bhagat@ Sushil Kumar Bhakt**, who is in judicial custody since 05.02.2026 in connection with Siswan P.S Case No. 308/2025 registered u/s 126(2), 115(2), 118(1), 117(2), 109(1), 352, 351(2), 3(5) of B.N.S, 2023.

2. Learned counsel for the petitioner submits that petitioner is innocent and he has been falsely implicated in this case with an ulterior motive. Learned counsel further submits that an anticipatory bail petition on behalf of this petitioner has been filed before this learned Court vide A.B.P No. 3132/2025 which was rejected by this learned Court thereafter no any bail petition on behalf of this petitioner has been filed either before this learned Court or before Hon'ble High Court Judicature at Patna. The petitioner has got a criminal case vide C. No. 2347/2023 u/s 323, 427, 504/34. The present case is the counter case of Siswan P.S Case No. 309/2025. There is no chance of his absconding of tampering with the prosecution evidence. Thus, learned counsel prays that petitioner may be enlarged on bail.

3. On the other hand, learned P.P vehemently opposed the prayer of bail.

4. Heard. Perused the record.

5. From perusal of the record, it transpires that an F.I.R in this case was registered vide Siswan P.S Case No. 308/2025 dated 31.08.2025 u/s 126(2), 115(2), 118(1), 117(2), 109(1), 352, 351(2), 3(5) of B.N.S, 2023 against accused-petitioner along with others. Further from the perusal of F.I.R of this case, it transpires that on 31.08.2025 at 07:00 A.M his villagers/accused-petitioners along with other co-accused persons came together and abused them as part of conspiracy. When they refused to abuse, Bhrigunath Singh ran with a lathi in his hand and said kill the bastard and throw him away. Hearing this, Sushil Bhagat hit him on the head with the farsa, due to which his head got fractured. Hearing his screams, cousin Anil Kumar Singh and Prasant Kumar Shahi ran to save him. By then, Patiram Bhagat and Paramatma Bhagat injured Prashant Shahi by hitting farsa on his head. Thereafter, Sushil Bhagat and Anil Bhagat again attacked with the farsa, due to which

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Prashant Shahi's nose got cut while defending. Meanwhile, Sujit Bhagat hit him with the bhala, while defending the bhala hit his leg, due to which he got seriously injured. Sanju Devi hit him on the neck with the chopper, due to which both his arms got cut and he fell down. After that, Deepak Bhagat hit him with the khonta in his hand, due to which his left leg got injured. Hearing the screams of all the people, Sanjeev Kumar Shahi, Shivam Shahi and Praveen Kumar Shahi ran to save, then Neha Kumar, wife of Sushil Bhakat, wife of Sujit Bhakat started hitting with bricks and stones filled in a bag, due to which all the people got badly injured and Shivam Kumar Shahi, Sanjeev Kumar Shahi fell on the ground. Bhrigunath Singh hit Sanjeev Kumar Shahi with the lathi, due to which fingers of both the hands of Sanjeev Kumar Shahi got broken. In the meantime, Sushil Bhagat repeatedly hit Sanjeev Shahi on the head with the farsa, due to which the head got cut. Anil Bhagat hit him on the neck with the farsa, which hit the beard in the process of defense, due to which the beard got cut. Praveen Bhusan Shahia and Deepak Bhakat assaulted with the khonta, due to which Praveen Bhushan Shahi got seriously injured, all the women and men together pelted stones at his house due to which women and children of the house also got injured.

6. From perusal of FIR, it appears that the occurrence took place due to land dispute, and there is specific allegation on the petitioner along with other co-accused persons that they attacked the informant and his family members with lathi, farsa, khonta and bhala. Later on all six persons were sent to Hospital for treatment.

7. From perusal of injury report, it transpires that (i) Rajiv Kumar Sahi received (1) lacerated wound on scalp 6" x ½" skin deep, (2) pain and swelling right and left elbow, (3) pain in left left, (4) abrasion left buttock and doctor opined the nature of injury No. (1), (4) are simple and (2), (3) are grievous in nature.

(ii) Sanjiv Kumar Sahi received (1) lacerated wound of size 6" x ½" skin deep on scalp, (2) pain and swelling right middle and index finger, (3) pain and swelling left middle finger and doctor opined the nature of injury No. (1), (2) are simple and (3) is grievous in nature.

(iii) Shivam Kumar Sahi received (1) lacerated wound on chin 2" x ½" skin deep and doctor opined the nature of injury is simple.

(iv) Prasant Kumar Sahi received (1) lacerated wound on nose 1.5" x ½" skin deep, (2)

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abrasion and lacerated wound of size 2" x ½" skin deep on scalp, (3) abrasion on left shoulder and doctor opined the nature of injury No. (2), (3) are simple and (1) is grievous in nature.

(v) Pravin Bhusan Sahi received (1) pain in chest, (2) pain in left shoulder, (3) epigetric pain and doctor opined the nature of all injuries are simple.

(vi) Anil Kumar Singh received (1) Multiple abrasion on body, (2) abrasion on both hands, (3) lacerated wound on left leg 2" x ½" skin deep, (4) lacerated wound on right upper hand 1" x ½" skin deep and doctor opined the nature of all injuries are simple.

8. From perusal of Para No. 44 of the case diary, it appears that petitioner bears clean criminal antecedent. Moreover, petitioner is in judicial custody since 05.02.2026.

9. Considering aforesaid fact, the present bail application is **allowed**. The petitioner is directed to be released immediately on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the Court below.

(Dictated)

Sd/-

(Motish Kumar Singh)

**Sessions Judge, Siwan.**

**06.03.2026**