

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3885 of 2025

Arising Out of PS. Case No.-313 Year-2024 Thana- BAHERI District- Darbhanga

Laxman Roy Son of Late Jogi Roy village - Susari, Ps- Baheri, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 30-01-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Baheri P.S. Case No. 313 of 2024 instituted for the offence under Sections 126(2), 115(2), 109, 303(2), 352, 351(2), 118(1) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case in short is that co-accused persons including the petitioner, variously armed, entered into the house of the informant and started hurling abuses and assaulting. It is specifically alleged that petitioner has assaulted one



Krishnakant Jha, who is brother of the informant by means of iron rod and stick.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 05-11-2024. Petitioner bears two criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that scuffle ensued for cleaning of temple due to which both parties have sustained injuries, including the petitioner himself. There is case and counter case between the parties germinating from the same incident. In fact, the injury attributed to the petitioner caused by means of *lathi* and iron rod is found to be simple in nature.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, nature of accusation and there being case and counter between the parties, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with



two sureties of the like amount each to the satisfaction of
Court below/concerned Court in connection with Baheri P.S.
Case No. 313 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

