

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7823 of 2025

Arising Out of PS. Case No.-285 Year-2024 Thana- BARHIYA District- Lakhisarai

Kartik Singh Son of Bito Singh @ Vito Singh Resident of Village - Barhiya,
Ward No.9, P.S. - Barahiya, District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Barahiya P.S. Case No. 285 of 2024 registered for the alleged offences under Sections 126(2), 115(2), 303(2), 109, 352, 351(2), 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioner and other co-accused persons armed with iron rod and other dangerous weapons stopped the motorcycle of the informant and pull him down and the co-accused Murari Singh hit on his head with iron rod, causing its fracture. The allegation against the petitioner is that he hit the informant on his head, back and abdomen with butt of pistol. The other co-accused also assaulted the informant. Further allegation against the petitioner is that he snatched a



gold chain and Rs. 3,000/- cash from the informant.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. From perusal of the documents, it appears that the FIR was lodged by the informant, his statement was recorded by the police, the informant was treated and returned from the referral hospital within three hours and this create suspicion about the prosecution story. If the informant has sustained any grievous injury, it was not possible for him to do all the activities within three hours. The injury report shows the grievous injury is nasal bleeding and swelling at the back of the nose and other injuries are merely lacerations and body ache. Moreover, for causing the nasal injury, the allegation against co-accused Ram Mohan Kumar. The real fact is that the informant met with some accident a day earlier and an argument took place between the parties, taking advantage of his injury the informant lodged this false case against the petitioner and others. The petitioner is in custody since 20.11.2024 and charge-sheet has been submitted. The petitioner is having antecedent of one case.

05. Learned APP for the State opposes the prayer for bail.



06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non serious nature of injuries and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to 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 learned Chief Judicial Magistrate, Lakhisarai in connection with Barahiya P.S. Case No. 285 of 2024, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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