

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6202 of 2025

Arising Out of PS. Case No.-272 Year-2024 Thana- PATAHI District- East Champaran

Rohit Kumar Son of Ram Bali Sah @ Ramavali Sah Resident of Village-
Nonfarwa, P.S.- Patahi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Murli Dhar, APP
For the Informant	:	Mr. Vishal Prasad, Adv., Ms. Shreya, Adv.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

02. In the present case, the petitioner seeks bail in connection with Patahi P.S. Case No. 272 of 2024 registered for the alleged offences under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 303(2), 76, 109, 352, 351(2) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the allegation against the petitioner and other co-accused persons is of assaulting the son of the informant and the petitioner hit with iron rod on the head of the son of the informant, causing its fracture. They also assaulted the informant.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Specific allegation against the petitioner is for striking the son of the informant on his head with iron rod but the injury report of the injured shows only simple injuries. Learned counsel further submits that truth of the matter is that petitioner runs sweet shop and the informant's son purchased sweets from the shop of the petitioner and refused to make payment and on this account, some altercation took place and this false case was lodged. The petitioner is in custody since 06.11.2024 and charge-sheet has been submitted. The petitioner has got no criminal history.

05. Learned APP for the State as well as learned counsel for the informant vehemently oppose the prayer for bail. Learned counsel for the informant submits that son of the informant received 11 stitches and the injury report shows deep cut injury on scalp.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the simple nature of injuries and further considering the period of custody of the petitioner and his clean antecedent 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 Judicial Magistrate-1st Class, Motihari, East Champaran in connection with Patahi P.S. Case No. 272 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)

Ashish/-

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

