

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9756 of 2025

Arising Out of PS. Case No.-270 Year-2024 Thana- GOPALPUR District- Gopalganj

Osihar Singh S/O Late Jagdeo Singh R/O Village- Semra Tola- Ahirauli, P.S-
Gopalpur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shubhesh Pandey, Advocate
For the State	:	Mr. Ashok Kumar Singh, APP
For the Informant	:	Mr. Indrajeet Bhushan, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 24-02-2025 Heard learned counsel for the petitioner and learned APP
for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with
Gopalpur P.S. Case No. 270 of 2024 instituted for the offence
under Sections 126(2), 115(2), 118(1), 109(1), 352 & 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case in short is that on 06-11-2024,
informant was attacked at his poultry farm by co-accused
persons, including the petitioner for refusing to give them a
chicken. The accused damaged the farm, and petitioner
assaulted the informant with a spade, causing a severe head
injury.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 07-11-2024. Petitioner bears no criminal antecedent, 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. Though it is alleged that petitioner has assaulted the informant by spade, but injury is found to be simple in nature. There is no repetition of blow given on the informant. There is land dispute between the parties. It is submitted that petitioner's side also sustained injury, but they have not lodged any complaint/FIR. Charge sheet has been submitted in this case.

6. Learned A.P.P. for the State and learned counsel for the Informant have 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, clean antecedent of the petitioner and charge sheet being submitted, 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 Gopalpur



P.S. Case No. 270 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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

