

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12553 of 2025

Arising Out of PS. Case No.-178 Year-2024 Thana- KHANPURA District- Samastipur

Satyam Kumar S/o Shiv Shankar Thakur R/o Village - Hasopur, P.S.-
Khanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Khanpur P.S. Case No. 178 of 2024 registered on 18.08.2024 for the alleged offences under Sections 109(1), 115(2), 117(2), 118(2), 126(2), 351, 352, 303(2) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioner accidentally hit the cow of the informant with his four wheeler and thereafter, the petitioner along with other co-accused persons came and assaulted the informant. The petitioner gave a knife blow on the neck of the informant and he suffered a blow in the left side of the neck, co-accused gave him fists blows. The assailants also assaulted the parents of 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. The injury report shows simple injury caused by hard sharp substance and size of injury is 2"x1"x bone deep on occipital region. Learned counsel further submits that the occurrence took place on 15.08.2024 but the FIR has been lodged on 18.08.2024 without explanation for the delay. From the injury report, it is also evident that there was no intention on part of the petitioner to kill the informant and since there was no repetition of blow, as such, no offence under Section 109 of BNS is made out against the petitioner. In fact, the petitioner and the informant are agnates and due to land dispute, this false case has been lodged. The petitioner is having antecedent of one case in which he is on bail. The petitioner is in custody since 07.12.2024 and charge-sheet has been submitted.

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 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 Judicial Magistrate- 1st Class, Samastipur/court concerned in connection with Khanpur P.S. Case No. 178 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	
---	--	---	--

