

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16514 of 2025**

Arising Out of PS. Case No.-319 Year-2024 Thana- PIPRA District- East Champaran

Rohit Kumar @ Debil Son of Manoj Ram, Village- Pipra Station, Police  
station -Pipra District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                                                                    |
|----------------------------|--------------------------------------------------------------------|
| For the Petitioner/s :     | Mr. Bashishth Narayan Mishra, Adv.<br>Mr. Brij Kishor Mishra, Adv. |
| For the Opposite Party/s : | Mr. Zainul Abedin, APP                                             |

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

3      13-05-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner apprehends his arrest in connection with Pipra P.S. Case No. 319 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 109, 303(2) and 3(5) of the BNS.

3. Allegedly, the petitioner assaulted the brother of the informant by means of sword over his head due to which he sustained serious injury over the head and the eyes. There is further allegation against the other accused persons of assaulting the brother of the informant leading to other injuries to him. The petitioner also allegedly snatched Rs.6200/- from the pocket of the injured.



4. Learned counsel for the petitioner submitted that the entire prosecution case falls to the ground in view of the injury report, which clearly suggests that there is no incised injury. It is further contended that so far the injury, which is sustained over the head of the injured, the doctor opined that no significant abnormalities is seen. Moreover the injury, which is sustained to the eyes, the opinion has not been submitted till date. The other injuries have been attributed to other accused persons. It is further contended that be that as it may, the petitioner is aged about 20 years having fair antecedent and on account of trifle, the occurrence took place. The occurrence, as alleged in the FIR, took place on 07.11.2024 but the FIR came to be lodged on 09.11.2024 without there being any explanation of delay. The reason behind the false implication is tried to explain in para-8 of the bail application.

5. Learned counsel for the State opposed the bail application and submitted that apart from one grievous injury, the petitioner has allegedly assaulted the brother of the informant over the vital part of his body resulting into serious injury and the opinion of the doctor regarding the injuries sustained over the eyes is still awaiting.

6. Regard being had to the submissions made on



behalf of the parties and considering the delay in lodging of the FIR, coupled with the fair antecedent as also the injury report which does not corroborate the allegation of causing sword blow, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sadar, Motihari, East Champaran in connection with Pipra P.S. Case No. 319 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further following conditions:-

(i) One of the bailors shall be the own/close family members of the petitioner.

(ii) During subsistence of his bail, if the petitioner is found indulge in such kind of activities and intimidating the informant or his family members, the same shall constitute breach of condition of bail entailing cancellation of bail bond(s).

**(Harish Kumar, J)**

rohit/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

