

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28077 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- KATEYA District- Gopalganj

Musafir Sah Son of Hira Sah Resident of Village -Koeisakhurd PS- Kateya,
Dist- Gopaganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Upadhyay, Adv.

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

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

ORAL ORDER

5 05-08-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Keteya
P.S. Case No. 32 of 2025 instituted for the offences under
Sections 126(2), 115(2), 109(1), 351(2), 3(5) of the Bhartiya
Nyaya Sanhita, 2023.

3. As per prosecution case, the petitioner along with
co-accused persons assaulted the Informant by means of iron
rod. Specific allegation has been made against the petitioner of
assaulting the Informant upon his back and arm by means of
iron rod.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case due to local village politics. He further submits that there is delay of eighteen days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. There is a case and counter case between the parties. The petitioner's family has also filed a counter case against the Informant bearing Kateya P.S. Case No. 36 of 2025. He further submits that in the name of medical report, in Para-33 of the case diary, there is only a discharge-summary of the hospital which creates doubt in the alleged occurrence. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner. The petitioner has no criminal antecedent and is languishing in judicial custody since 23.01.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. He further submits that charge-sheet has been submitted against the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner



and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Keteya P.S. Case No. 32 of 2025,

(Rudra Prakash Mishra, J)

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