

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27320 of 2025

Arising Out of PS. Case No.-239 Year-2024 Thana- BHARGAMA District- Araria

Md. Ekram @ Ekram S/o Late Yasin R/o vill - Kadmaha, Ward no. 14, P.S.-
Bhargama, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Adv.
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 06-05-2025 Heard learned Advocate for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Bhargama P.S. Case No. 239 of 2024 registered for the offences punishable under Sections 303(2), 76, 109, 352, 351(2), 126(2), 115(2), 3(5) of the B.N.S.

3. On account of a partition dispute, all the FIR named accused persons, including the petitioner came to the house of the informant and started abusing and misbehaving with her. When the husband of the informant came to her rescue, the petitioner gave a sword blow over his head due to which he sustained serious injury. On account of that injury, when the husband of the petitioner fell in the ground, he also sustained injury in his left hand. There is allegation of snatching valuable against all the accused persons.



4. Learned Advocate for the petitioner referring to the FIR contended that though there is allegation of causing sword blow over the head of the husband of the informant, but the same is found to be simple in nature. The injury which is allegedly sustained to the left elbow of the informant's husband, though found to be grievous in nature but the same has not been attributed to the petitioner. It is further contended that, in fact, the FIR clearly suggests that on account of a dispute in family partition, both the parties have entered into a free fight resulting into injuries to persons of both sides. There is counter version of the present case being Bhargama P.S. Case No. 242 of 2024 instituted by the petitioner against the informant and others. It is lastly contended that both the parties are *gotiyas*. Moreover, the petitioner bears fair antecedent and he undertakes that he will not indulge in such kind of activity and abide by the terms and conditions of the Court.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that the husband of the informant has sustained grievous injury in the occurrence.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the injury which attributed to the petitioner is found to be simple in nature,



coupled with the fair antecedent and the case and counter case between the parties on account of family partition, 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 J.M. 1st Class-cum-A.M.-VIII, Araria in connection with Bhargama P.S. Case No. 239 of 2024, subject to the condition as laid down under Section Section 482(2) of the B.N.S.S., with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

rohit/-

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

