

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28003 of 2025

Arising Out of PS. Case No.-158 Year-2024 Thana- RAJEPUR District- East Champaran

1. Rambabu Sah S/o Late Anchit Sah R/o Village- Rajepur, P.S.- Rajepur, District- East Champaran
2. Deepak Kumar @ Deepak Sah @ Lav Kumar S/o Rambabu Sah R/o Village- Rajepur, P.S.- Rajepur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners seek bail in connection with Rajepur P.S. Case No. 158 of 2024 registered for the offences under Sections 126(2), 115(2), 118 and 109 of the B.N.S.

3. As per prosecution case, in the background of previous land dispute, the petitioners, who were variously armed, stopped the informant from going to her new house and when the daughter and the brother-in-law of the informant intervened, the petitioners taking out swords from their house and assaulted the brother-in-law of the informant causing injuries on neck and ear.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have



been falsely implicated in this case. The present case is based on a delayed written report submitted on 27.07.2024 for an occurrence dated 25.07.2024 and the FIR was sent to the court on 31.07.2024, without any explanation. It also appears that neither the informant nor her daughter was assaulted or received any injury from the weapons being carried by the petitioners. There is no corresponding injury on the brother-in-law of the informant. As per allegation he was assaulted by means of sword but the injury report mentions the injuries are caused by hard and blunt substance and all the injuries are simple in nature. Learned counsel further submits that injuries are merely laceration on back side and ear. Moreover, it is not specific that who assaulted the brother-in-law of the informant as both the petitioners have been named for causing injury. Petitioners are in custody since 03.08.2024 and charge-sheet has been submitted. Petitioners are having antecedent of one case in which they are on bail.

5. Learned A.P.P. for the State opposes the submission made on behalf of the petitioners. Learned A.P.P. submits that there is specific allegation against the petitioner is that they caused injury to the brother-in-law.

6. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the simple nature of injuries caused by hard and blunt substance and also considering the period of custody of the petitioners and submission of charge-sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Motihari, East Champaran/concerned court in connection with Rajepur P.S. Case No. 158 of 2024, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners 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 petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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