

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33080 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- BHARGAMA District- Araria

Uppa Das @ Uma Das S/O Late Taruni Das @ Late Tarunichand Das R/O
Vill.- Khutha Baijnathpur, ward no. 8, P.s.- Bhargama, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mrs.Nirmala Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 03-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Bhargama P.S. Case No. 33 of 2025, registered for the offences under Sections 126(2), 115(2), 118(1), 109, 303(2), 352, 3(5) of the BNS.

3. As per the prosecution case, petitioner and other co-accused persons caught hold of the informant and tied him with a pole. They assaulted him with iron rod and knife and the informant became unconscious. The assailants took away Rs.5,000/- and mobile phone from the informant.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. For the occurrence of the same



date i.e., 26.01.2025, the mother of the petitioner name Bhajoni Devi lodged Bhargama P.S. Case No. 43 of 2025 under Section 126(2), 115, 118(1), 303(2), 352, 3(5) of the B.N.S. against the present informant, his brother and his wife and in retaliation, the present case has been lodged by the informant. Learned counsel further submits that though a number of injuries have been found on the informant, three injuries are mere abrasion whereas one of the injuries is lacerated wound on the right leg measuring 2.5 cm x 0.5 cm x muscle deep. Apart from these injuries, one more injury was found which is swelling around right periorbital region and right upper eyelid area. This injury is stated to be grievous due to linear undisplaced fracture of nasal bone and right lamina papyracea with ethmoid hemosinus which means it was not on vital part. The petitioner is in custody since 29.01.2025 and charge sheet has been submitted. Learned counsel further submits that the petitioner is having antecedent of one case but he is on bail in Bhargama P.S. Case No. 99/21.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the mostly simple and non-serious nature of injuries received by the



informant and also considering period of custody of the petitioner and submission of charge sheet, the petitioner is 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 JMFC, Araria/concerned court, in connection with Bhargama P.S. Case No. 33 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other 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, if so required by the learned trial court.
- (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)

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