

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33228 of 2025

Arising Out of PS. Case No.-315 Year-2024 Thana- PIPRA District- Supaul

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Jitendra Sada @ Khikhara @ Jeetendra SAda @ Doka Sada S/o- Dayanand
Sada @ Bauku Sada Village- Ramnagar Ps- Pipra Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 13-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Pipra P.S. Case No. 315 of 2024 registered for the offences under Sections 126(2), 115(2), 118(1), 109 and 3(5) of the B.N.S.

3. As per prosecution case, the brother of the informant was assaulted by the petitioner and other co-accused persons with sword, *lathi* and *fatta*.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence took place in the manner as stated. The matter has been reported to the police after 10 days of the occurrence and it shows deliberation and afterthought. From the FIR, it is apparent that the informant is not an eye-witness. The injury claimed by the informant or even



the victim is false and concocted and no such injury has been sustained by the victim. Learned counsel further submits that injury report shows grievous injury due to fracture of left parietal and frontal bone but the said injury has been caused by hard and blunt substance and this falsifies the allegation against the petitioner for causing injury to the victim by sword. Learned counsel further submits that no motive has been given for assault on the brother of the informant and true fact of the case is that informant is having enmity with the petitioner as the petitioner decided against his brother in the panchayat while he had been facing allegation of illicit relationship with a minor girl who happened to be close agnate of this petitioner. Petitioner is in custody since 25.12.2024 and charge-sheet has been submitted. Petitioner is having antecedent of one case in which he is on bail.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner. Learned APP submits that the victim has also stated about petitioner assaulting him with sword causing grievous injury.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the absence of injury alleged against the petitioner and further



considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Supaul/concerned court in connection with Pipra P.S. Case No. 315 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 petitioner.
- (ii) The petitioner 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 petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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