

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39146 of 2025

Arising Out of PS. Case No.-388 Year-2024 Thana- BAISI District- Purnia

Hamid Raza @ Hamid S/O Late Jahir @ Zahir R/O Village-Ganghar Ghos,
PS- Baisi, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Baisi P.S. Case No. 388 of 2024 dated 07.12.2024 registered for the offences punishable under Sections 127(1), 115(2), 118(1), 109, 352, 351 read with Section 3(5) of B.N.S.

3. As per the prosecution case, it is alleged that the petitioner having a sword in his hand assaulted Sahena and was ready to hit with sword. In the meantime, the informant tried to save him, then the petitioner started assaulting the informant and hit the informant on his head and hand with intent to kill due to which he fell down on the ground and blood started oozing out.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is land dispute between both the parties. It is further submitted that there is no repetition blow of sword on the informant and no intention to kill him so no offence is made out u/s 109 of B.N.S. against the petitioner. The petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.03.2025.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that the specific allegation of assaulting the informant with sword is against the petitioner. As per the injury report of the injured, the injury is grievous in nature caused by sharp edged weapon.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Purnea in connection with Baisi P.S. Case No. 388 of 2024 with following conditions:-

(i) The petitioner is directed to remain physically



present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

(ii) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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