

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43481 of 2025

Arising Out of PS. Case No.-770 Year-2024 Thana- SUPAUL District- Supaul

Bhim Shankar Jha @ Tun Tun Jha, S/o Bageshwar Jha R/O Village- Baruari,
ward no. 3, PS and District- Supaul, Bihar-852110

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 11-11-2025 Heard learned Advocate for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Supaul P.S. Case No.770 of 2024 registered for the offences punishable under Sections 126,(2), 115(2), 109, 303(2), 352, 351(2) and 3(5) of the BNS.

3. Allegedly, on the fateful day, all the FIR named accused persons, including the petitioner encircled the house of the informant and brutally assaulted him by means of axe, due to which he sustained serious injury. There is further allegation of snatching valuables.

4. Learned Advocate for the petitioner referring to the FIR has contended that besides the fact that with regard to an alleged occurrence, which took place on 20.11.2024, the present



FIR came to be instituted on 23.11.2024, without there being any explanation. However, subsequent to the institution of the FIR, when the restatement of the informant was made, he has specifically stated that it is the petitioner who had given axe blow over his head, due to which he sustained injury. The injury also however does not corroborate the prosecution case, inasmuch as the same has been found to be caused by hard and blunt substance; though grievous in nature. The petitioner is a man of fair antecedent and moreover the parties are agnates and there is ongoing land dispute, resulting into scuffle, leading to some unfortunate injury.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that it is the petitioner who caused grievous injury to the informant.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and considering the delay in lodging of the FIR, coupled with the contradiction between the FIR and the restatement of the informant, besides the fair antecedent of the petitioner, 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 C.J.M., Supaul in connection with Supaul P.S. Case No.770 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

rohit/-

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

