

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43420 of 2025

Arising Out of PS. Case No.-125 Year-2025 Thana- BHAGWANPUR District- Begusarai

Birendra Kumar Jha S/o Late Abadhu Jha @ Abadh Narayan Jha R/o Village-
Raj Mehdauli, P.S.- Bhagwanpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 43487 of 2025

Arising Out of PS. Case No.-125 Year-2025 Thana- BHAGWANPUR District- Begusarai

Vikash Jha @ Murari Jha @ Bikash Jha @ Bikash Kumar Son of Birendra
Kumar Jha @ Birendra Jha Resident of village - Raj Mehdauli (Mehdauli),
P.S.- Bhagwanpur, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 43420 of 2025)

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 43487 of 2025)

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-07-2025 Since both the petitions arise out of Bhagwanpur P.S.

Case No. 125 of 2025, as such, they have been taken up together

and are being disposed of by this common order.

2. Heard learned counsels for the petitioners and

learned APP for the State.

3. In the present case, the petitioners seek bail in

connection with Bhagwanpur P.S. Case No. 125 of 2025



registered for the alleged offences under Sections 126(2), 115(2), 117(2), 352, 351(3), 308(4), 109(1), 303(2) and 3(5) of the B.N.S.

4. As per prosecution case, while informant and his brother were doing soil work for construction of their house, the petitioners entered into altercation with the brother of the informant and they demanded extortion money from him. Further allegation is that the petitioners assaulted the brother of the informant on his head with *lathi* causing its fracture. They also snatched the gold chain of the brother of the informant.

5. Learned counsels for the petitioners submit that the petitioners are innocent and have been falsely implicated in this case. The occurrence took place on demarcation of boundary and the petitioner and informant side are agnates. Some altercation and scuffle took place but no attempt was made on the life of the brother of the informant. Moreover, there is no specific allegation on the petitioner for causing injury and the allegation is general and non-specific. The injury report shows size of injury is ½”x1” though it is stated to be grievous due to fracture of left occipital parietal bones. It has further been submitted that there is counter version and Bhagwanpur P.S. Case No. 127 of 2025 has been registered by the wife of



petitioner Vikash Jha against the informant and his brothers for offences under Sections 126(2), 115(2), 352, 351(3) and 303(2) of the BNS. Petitioners are in custody since 24.04.2025 and charge-sheet has been submitted. Petitioners are having clean antecedent.

6. Learned APP appearing on behalf of State opposes the submission made on behalf of the petitioners.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the absence of repetition of blow and also considering the superficial size of injury and further considering the clean antecedent of the petitioners along with their period of custody and submission of charge-sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai/concerned court in connection with Bhagwanpur P.S. Case No. 125 of 2025, 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 bonds of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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