

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47378 of 2025

Arising Out of PS. Case No.-83 Year-2025 Thana- CHHAURADANO District- East
Champaran

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Gyashudin Ansari S/O Late Amin Ansari Resident Of Village- Bhelwa, P.S.-
Chhauradano, District- East Champaran, Motihari

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Diwakar Prasad Singh, Adv.
For the Opposite Party/s :	Mr. Bhanu Pratap Singh, A.P.P.
	Mr. Sunil Kumar No. III, Adv.
	Mr. Bijendra Kumar, Adv.
	Mr. Raki Alam, Adv.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Chhauradano P.S. Case No. 83 of 2025, registered for the offences under Sections 126(2), 115(2), 117(2), 109, 352, 351(2) and 3(5) of the B.N.S.

3. As per the prosecution case, petitioner and other coaccused persons who were variously armed, hurling abuses put down the son of the informant and started assaulting him. The petitioner struck him on his head with a spade causing a cut injury. Due to excessive bleeding the son of the informant became unconscious and he was taken to hospital and the



petitioner was apprehended by the persons who were present at the place.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is land dispute between the parties and in this background this occurrence has taken place. The injury report was procured from a private hospital and the name of the person who prepared the report was redacted. Moreover the injury report shows swelling and fracture on the head. Fracture is undisplaced fracture of left parietal bone and this injury is stated to be grievous. The injury is sustained by blunt object and this falsifies the allegation of the prosecution that the petitioner gave spade blow on the head of the son of the informant. Learned counsel further submits that it seems an exaggerated version has been given in the FIR. No dimension of the injury causing fracture has been mentioned. Learned counsel further submits that petitioner is aged about seventy years and is in custody since 24.03.2025 and charge sheet has been submitted. The petitioner is accused in one more case in which he is on bail.

5. Learned A.P.P. appearing for the State and learned counsel for the informant opposes the submission made on



behalf of the petitioner. Learned counsel for the informant submits that independent witnesses have supported the prosecution case that it was the petitioner who hit the son of the informant on his head with spade.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the age of the petitioner, submission of charge sheet and his period of custody, 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 J.M.F.C., Raxaul/concerned court, in connection with Chhauradano P.S. Case No. 83 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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