

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46458 of 2025

Arising Out of PS. Case No.-102 Year-2025 Thana- CHOUTARWA District- West
Champaran

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Dhamu Sah @ Arvind Kumar s/o Birjesh Sah Resident of vill- Chautarwa,
P.S- Chautarwa, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Pratik Kumar, Advocate
For the State	:	Mr.Anand Kishore Choudhary, APP
For the Informant	:	Mr. Zainul Abedin, Advocate

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 12-09-2025 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

2. In the present case, the petitioner seeks bail in connection with Chautarwa P.S. Case No. 102 of 2025 registered for the offences under Sections 126(2), 115(2), 118(1), 109,303(2) and 3(5) of the BNS.

3. As per prosecution case, the brother of the informant asked the petitioner not to keep his handcart in front of his shop and getting agitated by the words of the brother of the informant, the petitioner stabbed him. Other co-accused persons looted Rs. 25,000/- from the shop of the brother of the informant.

4. Learned counsel appearing on behalf of the



petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to previous enmity with malicious intent. Other family members of the petitioner have also been made accused in this case. However, police after investigation found no involvement of other co-accused persons. Learned counsel further submits that injury report shows a simple injury of size 5cmx1.5cmx1cm though it is an incised wound. Petitioner is in custody since 13.05.2025 and charge-sheet has been submitted. Petitioner is having antecedent of two cases and in which cases bail has been granted by the court below itself.

5. Learned A.P.P. as well as learned counsel for the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that after getting stabbed by the petitioner the brother of the informant became unconscious. Learned counsel further submits that they have challenged the injury report as the petitioner managed to get this report showing non-serious injury though the injury required stitches.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the simple nature of injury and also 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-1st, Bagaha, West Champaran/concerned court in connection with Chautarwa P.S. Case No. 102 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 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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