

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48901 of 2025

Arising Out of PS. Case No.-11 Year-2024 Thana- Chiraiya District- Saharsa

Jyoti Kumar @ Jyotik Kumar S/o Late Lalo @ Lalo Sharma R/o vill- Raithi,
P.S. - Chiraiya, Distt.- Saharsa

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ajay Kr. Thakur, Advocate
		Mrs. Vaishnavi Singh, Advocate
For the Opposite Party	:	Shaheen Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 04-11-2025

Heard learned counsel for the parties.

2. Petitioner seeks regular bail in connection with Chiraiya P.S. Case No. 11 of 2024 registered for the offences punishable under Sections 447, 323, 324, 379, 307, 504, 506/34 of the Indian Penal Code. Later on, Section 302 of the Indian Penal Code was added.

3. As per prosecution case, on 28.03.2024, at about 6.30 P.M., all the F.I.R. named accused persons variously armed came at the door of the informant and started hurling abuse. On protest being made, co-accused Dhrub Kumar and petitioner assaulted son of the informant by means of iron rod over his head, due to which he sustained severe injury. It is further alleged that when the informant and her husband went to save their son, both of them were also assaulted by other accused



persons. There is further allegation of snatching of valuables.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. During the course of investigation, statement of the informant and other witnesses were also recorded by the investigating officer, but all of them have stated that it is co-accused Dhrub Kumar, who assaulted the deceased. This fact has also been corroborated by the post-mortem report, Learned counsel further submits that only one injury has been found over the head of the deceased and there is even no abrasion over the body of the deceased and, as such, the allegation of the informant that he was also brutally assaulted by other accused persons does not find corroboration. F.I.R. has been lodged after delay of three days without any explanation which renders the entire prosecution case doubtful. Charge sheet has already been filed. Petitioner is in custody since 24.2.2025.

5. Learned counsel for the State opposes the prayer for bail.

6. Considering the nature of accusation and period of custody of the petitioner, his prayer for regular bail is allowed. Let the petitioner, mentioned above, be enlarged on bail on



furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the District and Additional Sessions Judge II, Saharsa in Sessions Trial Case No. 171/2025.

(Prabhat Kumar Singh, J)

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