

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48057 of 2025

Arising Out of PS. Case No.-45 Year-2025 Thana- MORKAHI District- Khagaria

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Sawan Kumar @ Sawan Yadav Son of Hiralal Yadav, Resident of Rasonk PS
-Morkahi District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Zainul Abedin, APP.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 10-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Morkahi P.S. Case No.45 of 2025, registered for the offences
punishable under Sections 126(2), 115(2), 109, 352(2), 3(5) of
the B.N.S., 2023 and Section 37 of the Bihar Prohibition and
Excise Act.

3. As per prosecution case, during the Ramnavami
procession the petitioner alongwith co-accused Nitesh Kumar in
drunken condition assaulted the informant. It is alleged that the
petitioner assaulted with sword on the forehead of informant
and co-accused Nitesh Kumar assaulted the informant with
lathi.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He further submits that the injury to the informant is found



simple in nature and the same is caused by hard and blunt substance which falsify the prosecution case that the petitioner had assaulted with sword. Learned counsel submits that no independent witness has supported the prosecution case. He further submits that petitioner is in custody since 07.04.2025, having three criminal antecedents, in which he is on bail and charge sheet had already been submitted in this case. Learned counsel submits that there is no likelihood of absconding the petitioner or tampering with the evidence and he undertakes to cooperate in the trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria/ concerned Court in connection with Morkahi P.S. Case No.45 of 2025.

(Sunil Dutta Mishra, J)

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