

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51039 of 2025

Arising Out of PS. Case No.-71 Year-2025 Thana- POTHIIYA District- Kishanganj

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Daniyal Hansda Son of Kaniyana Hansda @ Kanhaiya Hansda Resident of
Village - Kachkhua, Ward No.- 9, P.S.- Pothia, District - Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 15-10-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Pothia
P.S. Case No. 71 of 2025 instituted for the offence under
Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109(1), 76,
352 & 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution story, in brief, is that on
14.03.2025 at about 8:30 A.M., the accused persons led by Talu
Hasda obstructed the informant's way and attacked him and his
companions with weapons, causing injuries. They also assaulted
and looted the informant's house, and Seema Tudu snatched a
silver chain from Sumi Murmu.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 18.05.2025. Petitioner bears two criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. As per FIR, petitioner assaulted one Raju Marandi by inflicting sword blow, but injury is found to be simple in nature. Hence, injury report does not support the prosecution case. Nothing has been recovered from the conscious possession of the petitioner. There is case and counter case between the parties. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, injury being found to be simple in nature and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pothia P.S. Case No. 71 of 2025, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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