

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54481 of 2025

Arising Out of PS. Case No.-64 Year-2025 Thana- BAIRGACHHAI District- Araria

Jakrul S/O Rauf @ Abdul Rauf, Resident of village- Farsadangi, police station- Jokihat, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 12-11-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Bairgachhi P.S. Case No. 64 of 2025 dated 11.06.2025, registered for the offences punishable under Sections 126(2), 115(2), 109, 303(2), 352 and 351(2) read with Section 3(5) of the BNS.

3. As per the prosecution case, petitioner and co-accused persons who were armed with *lathi*, *danda* and iron-rod started assaulting the son-in-law of the informant. When he tried to save him, he was also assaulted causing fracture of his head. When the son of the informant intervened, this petitioner hit him with iron-rod making him half-dead.

4. Learned counsel appearing on behalf of the



petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The present case has been lodged after a delay of three days without any explanation. There is counter version and Bairgachhi P.S. Case No. 66 of 2025 has been lodged by the mother of the petitioner against the informant's side. In order to create a defence, the present case has been lodged. The injury report shows injury of son of informant to be grievous due to fracture of bilateral nasal bone and nasal septum. Otherwise, the injuries are merely lacerations. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 12.06.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-serious nature of injuries attributed to this petitioner and considering his period of custody and submission of chargesheet, 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 Chief Judicial Magistrate, Araria / concerned Court, in connection with **Bairgachhi P.S. Case No. 64 dated 2025**, subject to the condition laid down under 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, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioner on single date 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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