

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56137 of 2025

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

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Filman Hansda @ Filmon Hasda S/o- Daniyal Hansda @ Kanhaiya Hansda
Vill- Kachkhua, ward No.-09, P.S.- Pothia, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 10-10-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Shri Rabindra Kumar.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 191(2), 191(3), 190, 126(2),
115(2), 118(1), 109(1), 76, 352 and 351(2) of the Bharatiya
Nyaya Sanhita.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of two cases and is in custody since
18-5-2025 and the informant alleges that accused person
blocked his road on account of which an altercation took place
and Sales Hansda assaulted the informant by an iron rod causing
injury on head while Daniyal Hasda assaulted Raju Marandi by
sword causing injury on his hand and leg, thereafter petitioner
assaulted Ram Marandi by axe causing injury on head; and Talu



Hansda assaulted Sumi Murmu by knife causing injury on her head while Seema Tudu snatched silver chain from Sumi Murmu.

4. The Learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that on account of blockage of road, an altercation had taken place in which both sides assaulted each other. It is further submitted that from side of the petitioner Pothia PS Case No. 70 of 2025 was instituted against the side of the informant and others, as such the instant FIR is a counter blast. It is next submitted that even presuming what has been alleged is true without admitting, then the blow was not repeated though the injury has been opined to be grievous, but then charge sheet has been submitted.

5. The Learned APP opposes the bail application and submits that petitioner has antecedent of two cases and in the event if privilege of bail is granted to the petitioner, he may abscond, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the trial to prove his innocence.



6. Considering the submission made by learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Pothia P.S. Case No. 71 of 2025.

7. However, it is made clear that in the event, if the learned trial court comes to a conclusion that petitioner after his release is trying to delay the framing of charge or after framing of charge is delaying the trial in any manner, in both the conditions the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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