

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56153 of 2025

Arising Out of PS. Case No.-51 Year-2025 Thana- CHACKMEHSI District- Samastipur

1. Bhajju Poddar S/o- Late Deeplal Poddar Resident of village- Karua Ward No 16 PS- Chakmehasi District- Samastipur
2. Phulwati Devi W/o- Bhajju Poddar Resident of village- Karua Ward No 16 PS- Chakmehasi District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhay Shanker Singh, Advocate
For the State	:	Mr.Ram Sumiran Rai, APP
For the Informant	:	Mr. Purushottam Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 19-11-2025 Heard learned counsel for the petitioners and learned APP for the State as well as learned counsel appearing on behalf of the petitioners.

2. In the present case, the petitioners seek bail in connection with Chakmehasi P.S. Case No. 51 of 2025 registered for the alleged offences under Sections 126(2), 115(2), 118(1), 118(2), 109, 326(g), 3(5) of B.N.S.

3. As per prosecution case, the petitioners entered into the semi constructed house of the informant and petitioner no. 1 sprinkled petrol over the body of the brother of the informant and petitioner no. 2 set him on fire. They also set the house of



the informant on fire. When the informant tried to save his brother, he also received some burn injury.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The petitioners are 75 and 70 years old persons, respectively and the allegation against them is not believable. Learned counsel further submits that the informant and others tried to forcibly capture the house of the petitioners in which the petitioners have been living and made attempt to burn them inside the house. The informant side is aggressor and trespasser. The petitioner no. 1 got seriously burnt in the fire started by the informant and his brother. Since the petitioner no. 1 received serious injury and was referred to DMCH, he could not file the case immediately and the informant taking advantage of this fact got registered the present case in collusion with the police. Even the son of the petitioners came back from Delhi, the informant also made attempt on the life of the son of the petitioners by pouring petrol on him but the match box was snatched by the nearby shopkeeper. Learned counsel further submits that the petitioners are elderly persons and are living alone in their village home. The petitioners are in custody since 04.04.2025 and they are having clean antecedent. The charge



sheet has been submitted in this case.

5. Learned APP as well as learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioners. Learned counsel for the informant submits that the petitioner no. 1 suddenly caught the brother of the informant and sprinkled petrol and petitioner no. 2 set him on fire and he received 35% burn injury.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioners are more than 70 years old and also considering the period of custody of the petitioners and submission of charge sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Samastipur/concerned Court in connection with Chakmehasi P.S. Case No. 51 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on



each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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