

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59284 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- Kachna District- Katihar

Madhav Karmkar Son of Narendra Karmakar R/O Vill- Hathi, P.S.- Kachna,
District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate Mr. Harish Chandra Patel, Advocate
For the Opposite Party/s	:	Mr. Bharat Lal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 27-08-2025 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 Kachna P.S. Case No. 26 of 2025, registered for the offences under Sections 126(2), 115(2), 118(1), 109, 76, 3(5) of the B.N.S.

3. As per the prosecution case, over a petty dispute, the petitioner who is elder brother of the informant hit him on his head with a rod causing bleeding injury. The informant was further assaulted by other co-accused persons who also assaulted the wife of the informant.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated



in this case and the occurrence in the manner as stated in the FIR has not taken place. The informant has made his brother, sister-in-law and father accused in the present case over some land dispute. The injury report of the informant shows lacerated wound over left frontal bone of skull of size 1 1/2"x1/3"x1/4" , trauma to occipital bone and pain & difficulty in moving left shoulder joint. One of the injuries is found to be grievous due to fracture of occipital bone of skull. It appears some scuffle took place and the informant fell down and received injuries and falsely implicated this petitioner. The petitioner is in custody since 18.05.2025 and he has no criminal antecedent. Charge sheet has been submitted.

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

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering no repetition of blow on any vital part and further considering submission of charge sheet and period of custody, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Katihar/concerned court, in connection with Kachna P.S. Case



No. 26 of 2025, subject to the condition laid down under
Section 480(3) of the BNSS 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 absence on three
consecutive dates 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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