

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64645 of 2025

Arising Out of PS. Case No.-119 Year-2025 Thana- BAIRIYA District- West Champaran

Hakim Rai S/o Late Sahabjan Rai Resident of Village - Fuliyakhand, Ward
No. - 09, P.S.- Bairiya, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar, Adv.
For the State	:	Mr.Ram Anurag Singh, A.P.P.
For the Informant	:	Mr. Avinash Raj, Adv.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 13-11-2025 Learned counsel for the petitioner submits that injury report of informant Najbun Khatoon is mentioned in paragraph no. 12 of the case diary and there is no other injured in this case and hence no further injury report is required in this matter.

02. Heard learned counsel for the petitioner and learned A.P.P. for the State.

03. In the present case, the petitioner seeks bail in connection with Bairiya P.S. Case No. 119 of 2025, registered for the offences under Sections 126(2)/115(2)/109/329(3)/76/303(2)/352/3(5) of the BNS.

04. As per the prosecution case, petitioner and other co-accused persons came to the doors of the informant and abused her. The petitioner gave a *tangi* blow on her head and



she fell down. Other co-accused persons assaulted her with *lathi* and tore her saree and blouse and took her gold chain worth Rs.30,000/-. When the son of the informant intervened, he was also assaulted by this petitioner with *lathi*.

05. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. There is case and its counter version in the form of Bairiya P.S. Case No. 120 of 2025 which has been lodged by the wife of present petitioner. The petitioner has himself received injuries and injury report of the petitioner and his wife shows lacerated wound on their parietal region. The injury report shows the injuries of the petitioner and informant are simple in nature. Learned counsel further submits that the case appears to be of free fight between two groups and FIR has been lodged after unexplained delay of 15 days. Learned counsel for the petitioner submits that the petitioner is in custody since 05.07.2025 and charge sheet has been submitted. The petitioner has got clean antecedent.

06. Learned A.P.P. appearing for the State and learned counsel for the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that though the injury of the informant is



simple but it is on the vital part and it is incised wound on mid parietal region of the skull of 3"x1/4"x1/4".

07. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the case and counter case of the parties and further considering the period of custody of the petitioner, his clean antecedent and submission of charge sheet, 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 Additional Sessions Judge-XI, West Champaran/concerned court, in connection with Bairiya P.S. Case No. 119 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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