

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64971 of 2025

Arising Out of PS. Case No.-171 Year-2025 Thana- BIHIA District- Bhojpur

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Buchha Prasad @ Buchan Kumar @ Bucha Kahar Son of Keshwar Kahar @
Keshar Prasad @ Keshar Kahar Resident of Village - Pipara Jagdish, P.S.-
Bihiya, District - Bhojpur (Arrah).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandan Kumar Verma, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Bihiya P.S. Case No. 171 of 2025 registered for the alleged offences under Sections 126(2), 115(2), 109(1), 303(2), 117(2), 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioner and other co-accused persons used to tease the female inmates of the house of the informant and when the informant and others scolded that, they assaulted them with *lathi*, *danda*, rod, bricks and stones. The informant, his brother and his parents have received injuries in the hands of their assailants. The co-accused persons also snatched gold ornaments from the wife and the sister-in-law of



the informant.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner and the informant side are agnates and there is some land dispute between the parties. The petitioner is a young man aged about 25 years and is sole bread earner for his family. Learned counsel further submits that a free fight broke out between two sides and there were incidents of stone/brick pelting in which persons from both sides got injured. The informant side is dominating and they went to the police station and lodged this FIR. However, from the injury report, it appears that the injuries of the victims are mostly non-serious and caused by hard and blunt substance. There is no life threatening injury. The petitioner is in custody since 21.05.2025 and charge-sheet has been submitted. The petitioner is having antecedent of one case.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the superficial and non-serious nature of injuries of the victims and also considering the period of custody of the petitioner along



with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Bihiya P.S. Case No. 171 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the 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.
- (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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