

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66074 of 2025

Arising Out of PS. Case No.-99 Year-2025 Thana- NAVINAGAR District- Aurangabad

Bateran Rajwar @ Upendra Rajwar, aged about 48 years, Male, Son of Late Ramraj Rajwar, Resident of Village- Jogbandh, P.S.- Nabinagar, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 26-11-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Nabinagar P.S. Case No. 99 of 2025 instituted for the offences punishable under Sections 126(2), 115(2) and 109 of the BNS, 2023.

3. As per allegation in the FIR, the informant Anoj Kumar alleging therein that the petitioner had assaulted his father Lakhan Rajwar causing severe injury on his left hand and check.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He submits that the informant is not the eye witness of the occurrence. He next



submits that the informant named this petitioner due to prior enmity. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 03.05.2025.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary and impugned order of the learned Sessions Judge, Aurangabad dated 24.07.2025, it appears that petitioner is not named in the FIR. From perusal of the records, it appears that on the basis of written report of the informant namely Anoj Kumar, FIR has been registered under Sections 126(2), 115(2) and 109 of the BNS, 2023 against unknown person and the allegation is that the informant Anoj Kumar alleging therein that the petitioner had assaulted his father Lakhan Rajwar causing severe injury on his left hand and cheek. It appears that informant is not the eye witness of this case as he is the hearsay witness. From bare perusal of the case diary in para 24, the statement of injured Lakhan Rajwar stated before the Investigating Officer that he was going to taking liquor at the side of Arhar and was assaulted by the accused person by *tangi* but after interrogation this witness did not disclose the time of the occurrence, so considering all these aspects of the case and submissions of learned counsel for the petitioner, I am inclined to enlarge the



petitioner on bail.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned Chief Judicial Magistrate, Aurangabad in connection with Nabinagar P.S. Case No. 99 of 2025.

(Ramesh Chand Malviya, J)

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