

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65059 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- RASULPUR District- Saran

Vijay Kumar Sah @ Vikash Kumar Gupta @ Vijay Kumar S/O Birendra Sah
R/O Vill.- Chanchaura, P.S.- Rasulpur, Dist.- Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Rasulpur P.S. Case No. 33 of 2025 registered for the alleged offences under Sections 126(2), 115(2), 109(1), 351(2), 352, 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioner and other co-accused persons with intention of causing death of the brother of the informant, assaulted him with sharp knife and the petitioner gave him a blow of knife on his neck. The assailants fled away thinking the brother of the informant to be dead. The brother of the informant was referred to PMCH, Patna and from there, he was shifted to some private hospital in Chhapra.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. From the FIR, it is clear that the informant is not an eye witness. The brother of the informant has not received any life threatening injury. The injury report shows there is one incised wound below chin of size 8"x ¼"x ½" but the opinion has been reserved. Learned counsel further submits that when the petitioner demanded his outstanding money from the brother of the informant, he became furious and aggressive and started assaulting the petitioner, which turned into a free fight in which both of them got injured. The petitioner is having clean antecedent. The petitioner is in custody since 23.02.2025 and charge-sheet has been submitted.

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 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 12th Additional Sessions Judge, Saran at Chapra in connection with Rasulpur P.S. Case No. 33 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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