

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66617 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- KHUDAGANJ District- Nalanda

Jay Pal, S/o Late Dharamvir Pal, R/o Village- Chorma, Sirhari, P.S.-
Khudaganj, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary, Adv.

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 17-09-2025 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Khudaganj P.S. Case No. 53 of 2025, registered for the
offences punishable under Sections 126(2), 115(2), 109, 303(2)
and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. On the fateful day, while the elder brother(petitioner)
of the informant was involved in beating his step son and when the
informant came to his rescue, the petitioner assaulted him by
means of iron rod over his head. It is also alleged that other co-
accused person also assaulted him, due to which he sustained
serious injury over his head. There is further allegation against
the co-accused persons of assaulting the wife of the informant



and snatching the valuables.

4. Learned Advocate appearing on behalf of the petitioner submitted that the petitioner and informant are none else, but the own brother and only on account of land dispute, they entered into a free fight, resulting into unfortunate injuries. Moreover, the injuries which are allegedly sustained to the informant are concerned, they have been found to be simple in nature. To support the aforesaid contention, injury report has been placed as Annexure P/2. It is further contended that now the good sense prevailed and they have entered into a settlement and do not want to proceed in the matter. The petitioner bears fair antecedent.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application.

6. Having considered the submissions set forth by learned Advocate for the parties and taking note of the relationship between the petitioner and the informant, coupled with the simple nature of injury and the fair antecedent, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon 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, Hilsa, Nalanda in connection with Khudaganj P.S. Case No. 53 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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