

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67741 of 2025

Arising Out of PS. Case No.-65 Year-2025 Thana- KACCHWA District- Rohtas

1. Lav Kumar Son of Ajay Singh @ Ajay Kumar Singh Resident of Village - Tulsitola, P.S.- Kachhawan, District - Rohtas (Bihar).
2. Kush Kumar Son of Ajay Singh @ Ajay Kumar Singh Resident of Village - Tulsitola, P.S.- Kachhawan, District - Rohtas (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vinay Kumar Mishra, Adv.
For the State	:	Mrs.Dr. Indihar Kumar, APP
For the Informant	:	Mr. Surendra Prasad Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 10-12-2025 Heard Mr. Vinay Kumar Mishra, learned counsel for the petitioners, Mrs. Dr. Indihar Kumar, learned APP for the State and Mr. Surendra Prasad Singh, learned counsel for the informant.

2. Petitioners seek regular bail in connection with Kachhawa P.S. Case No. 65/ 2025 dated 14.03.2025 registered for the offence(s) punishable under Sections 126(2), 115(2), 109, 351(2), 352 and 3(5) of the BNS.

3. The main submissions advanced by the petitioners' counsel are that both the petitioners are young boys and have been languishing in jail since 25.07.2025, though, the informant and his cousin brother are said to have sustained injuries in the



alleged occurrence and as per the allegation, the petitioners assaulted the informant by means of sword but no corresponding injury to the said weapon was found on the body of the informant and only four lacerated wounds were found which were opined to be simple in nature and the injuries of the second injured were also opined to be simple in nature. It is further submitted that there is serious contradictions in between the allegations in the FIR and the statements of the injured witnesses.

4. On the other hand, learned counsel appearing for the informant has vehemently opposed the bail prayer of the petitioners and submits that the informant was assaulted by the petitioners with an intention to kill him which is clearly reflecting from the number of injuries found on the vital part of the body of the informant and the medical expert gave a wrong opinion with regard to nature of the injuries as a lacerated wound in the size of 2"x1/4" on frontal region of skull which cannot be deemed to be simple in nature.

5. The learned APP appearing for the State has also opposed the bail prayer of the petitioners.

6. Heard both the sides and perused the FIR and case diary of this case. Though, there is serious allegation against the



petitioners in the FIR but considering the contradictions in between the allegations in the FIR and medical expert's opinion as well as the statements of the injured witnesses, as pointed out by the petitioners' counsel and also taking into account petitioners' young age who are said to be 20 and 21 years old coupled with their fair and clean antecedent, this court is inclined to release the petitioners on bail. Accordingly, let the petitioners named-above be released on bail in connection with Kachhawa P.S. Case No. 65/ 2025 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned with the condition that the petitioners shall be released on bail after framing of the charges. If the charges have not been framed till date then the trial court will proceed for framing of charges as per provisions of law. If on account of some legal reason the charges are not framed upon the petitioners in the next one month then the petitioners shall be released on bail as per above direction.

(Shailendra Singh, J)

BKS/-

U		T	
---	--	---	--

