

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69224 of 2025

Arising Out of PS. Case No.-130 Year-2025 Thana- WARISNAGAR District- Samastipur

1. Upendra Das S/O Late Gopal Das R/O Village- Hajpurva Ward No.02, P.S.- Warisnagar, District- Samastipur
2. Pawan Das @ Gopali Das S/O Upendra Das R/O Village- Hajpurva Ward No.02, P.S.- Warisnagar, District- Samastipur
3. Chhotu Kumar @ Chhotu Das S/O Upendra Das R/O Village- Hajpurva Ward No.02, P.S.- Warisnagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Kumar, Advocate
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 15-11-2025 Heard learned counsel for the petitioner and learned
APP for the State

2. The petitioners apprehend their arrest in connection with Warisnagar P.S Case No. 130 of 2025 registered for the offences punishable under Sections 126(2), 127(2), 115(2), 118(1) of BNS, 2023.

3. As per the prosecution case, petitioners along with co-accused have assaulted the informant and his younger brother.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. Warisnagar



P.S Case No. 130 of 2025 is a counterblast of Warisnagar P.S Case No. 121 of 2025. Both sides are agnate. The present prosecution case has been lodged after delay of 7-8 days after the alleged incident which clearly indicates that the allegations levelled therein is afterthought allegations. It is next submitted that petitioners have got no criminal antecedent as stated in para 3 of the bail petition.

5. Learned counsel for the State opposes the prayer for bail of the petitioners.

6. From perusal of the F.I.R., injury report, impugned order and materials available on record it appears that one one injury found on the body of the informant and no abnormality was seen in brain and brother of the informant also sustained only one injury which is not on a vital part of the body. Further, both parties are agnates and there were case and counter case between the parties.

7. Considering the aforesaid facts and circumstances of the case, submissions made on behalf of the petitioners, let the above named petitioners be released on bail in the event of their arrest or surrender before the trial court within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to



the satisfaction of learned JM-1st cum Additional Civil Judge
(Junior Division), Samastipur, in connection with Warisnagar
P.S Case No. 130 of 2025 subject to the condition laid down
under Section 482(2) of BNSS.

(Ramesh Chand Malviya, J)

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