

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73683 of 2025

Arising Out of PS. Case No.-77 Year-2025 Thana- PARAIYA District- Gaya

Santu Kumar S/o- Naresh Yadav @ Ram Naresh Yadav R/v- Khiri Ps- Paraiya
Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Kumar, Advocate
		Mr. Aryan Singh, Advocate
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh, APP
For the Informant	:	Mr. Nawal Kishore Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

02. In the present case, the petitioner seeks bail in connection with Paraiya P.S. Case No. 77 of 2025 registered for the alleged offences under Sections 126(2), 115(2), 109, 303(2), 352, 351(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioner and other co-accused persons armed with *khanti*, iron rod, *lathi* and *danda* abused and assaulted the informant and her son. When the husband of the informant intervened, he was also assaulted.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is counter version and Paraiya P.S. Case No. 94 of



2025 has been lodged by co-accused alleging therein that 13 persons from the informant side including informant herself abused and assaulted to her and her family members. There are a number of cases between the parties. There is specific allegation against the petitioner for attacking the informant on his head with iron rod and the same was also made against the father of the petitioner. Petitioner side has also received a number of injuries which are on vital parts of the body and there is no explanation for the same. Learned counsel further submits that both sides instituted a number of FIRs against each other from last two decades out of which, none of the cases resulted in conviction. Learned counsel further submits that the dispute arose between the parties in 1998 when one Ram Naresh Prasad purchased a land from the husband of the informant. Learned counsel further submits that the petitioner is having antecedent of five cases and is in custody since 22.07.2025. Charge-sheet has been submitted.

05. Learned APP for the State as well as learned counsel for the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel further submits that informant and her family members were brutally assaulted by the petitioner and others and injury was caused on



head which is a vital part of the body. Son and husband of the informant also received injuries. Injury of the informant is grievous.

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 Chief Judicial Magistrate, Gaya in connection with Paraiya P.S. Case No. 77 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

(i) In future, the petitioner will not threat to the informant or her family members in any manner and if he does so, the informant will be at liberty to move before the court for cancellation of bail bond of the petitioner.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.



(iv) 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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