

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72598 of 2025

Arising Out of PS. Case No.-173 Year-2025 Thana- WARISNAGAR District- Samastipur

Vishawjeet Kumar @ Vishwjeet Kr. Singh @ Bajrangee Kumar @ Bajrangi
Kumar S/o Mahesh Prasad Singh R/o Village- Bariarpur, P.S.- Warisnagar,
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suneil Kumar Thakur, Adv.

For the Opposite Party/s : Mrs.Pushpa Sinha.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Waris Nagar P.S. Case No. 173 of 2025, registered for the offences under Sections 109 of the BNS.

3. As per the prosecution case, the petitioner called out the informant and served him with liquor in an orchard and thereafter attacked him on his neck with a blade. The informant received injuries but somehow he managed to return to his house from where he was taken to the hospital.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The prosecution story is not

believable on the score that if the petitioner was having dispute with the informant, the informant would accompany the petitioner and consume liquor with him. Earlier the informant and the wife of the brother of the informant were also made accused by the petitioner in Waris Nagar P.S. Case No. 157 of 2025. Learned counsel further submits that the injury report shows multiple lacerated wounds around the neck of the informant of size 3 cm x $\frac{1}{2}$ cm x muscle deep but the said injury cannot occur from a blade which is a sharp weapon and would cause incised injury. Hence, the prosecution story gets falsified from the injury report. The petitioner is in custody since 04.07.2025 and charge sheet has been submitted. The petitioner is having antecedent of one case in which he is on bail and the said case has been filed by a family member of the informant.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the doubtful nature of allegation in the background of facts of the case and also considering the nature of injuries and further considering the period of custody and submission of charge sheet, the petitioner is directed to be released on bail, on

furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned J.M.F.C., Samastipur/concerned court, in connection with Waris Nagar P.S. Case No. 173 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other 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, if so required by the learned trial court.

(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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