

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74141 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- ROHTAS District- Rohtas

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1. Abhay Kumar S/O Mukhlal Singh @ Mukhlal Sah R/O Village- Gobindpur Baskatiya, P.S- Rohtas, Distt.- Rohtas.
 2. Jitendra Kumar @ Jitan Sah S/O Janeshwar Singh@Janeshwar Sah R/O Village- Gobindpur Baskatiya, P.S- Rohtas, Distt.- Rohtas.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Swati Parmar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In the present case, the petitioners seek bail in connection with Rohtas P.S. Case No. 46 of 2025 dated 17.03.2025, registered for the offences punishable under Sections 115(2), 126(2), 117(2), 109, 303(2), 352 and 351(3) read with Section 3(5) of the BNS.

3. As per the prosecution case, petitioner and other co-accused persons stopped the vehicle of the informant while informant had been going to meet his friend and some altercation took place and they assaulted the informant with iron-rod and *lathi* causing injuries to the informant.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and they have



falsely been implicated in the present case. The alleged occurrence took place on the occasion of Holi and some minor scuffle took place. The allegation against the petitioners is of causing injury on the left hand of the informant and also on his head. In the report, the injuries are stated to be caused by hard and blunt substance as well as by sharp cutting weapon. However, there is no allegation in the FIR of use of any sharp weapon. He further submits that no such injury has been received by the informant. The FIR has been instituted after three days of occurrence, but no plausible reason is forthcoming for the delay. There is no allegation of any repeated blow. The injuries as per the rejection order shows the informant received an injury of sharp cut weapon on his head of size 4" x 1/6" x 1/2", but there is no allegation against any of the petitioners for causing such injury. Learned counsel next submits that petitioners are having antecedent of one case each. Learned counsel lastly submits that petitioners are in custody since 21.08.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submission made on behalf of the petitioners and submits that grievous injury was found on the person of the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



non-serious nature of injuries attributed to the petitioners and also considering their period of custody, the petitioners, above-named, are 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 Judicial Magistrate, Rohtas at Sasaram / concerned Court, in connection with **Rohtas P.S. Case No. 46 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners 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 non-appearance of the petitioners on single date or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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