

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73162 of 2025

Arising Out of PS. Case No.-170 Year-2025 Thana- HALSI District- Lakhisarai

Rishikesh @ Bambam S/O Late Naresh Mahto R/O vill - Gerua Pusanda, P.S
- Halsi, Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S. K. Lal, Sr. Advocate Mr. Umesh Prasad, Advocate
For the State	:	Mr. Binod Kumar, APP
For the Informant	:	Mr. Avinash Gaurav, Advocate Mr. Binay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-11-2025 Heard learned senior counsel appearing on behalf of 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 Halsi P.S. Case No. 170 of 2025 registered for the alleged offences under Sections 126(2), 115(2), 109(1), 352, 351(2) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the petitioner assaulted the father of the informant with iron rod causing fracture of his head.

04. Learned senior counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. From the FIR, it is apparent that the informant is not an eye witness. The injury report shows three injuries which are lacerated wound on occipital region of size 1 ½ cm x ¼ cm x skin deep and 1cm x ¼ cm x skin deep, lacerated wound on right middle and index fingers of size 1cm x 1/4cm x skin deep and diffuse swelling on left palm. The dimension of the injuries shows non-serious nature of injuries. The petitioner has earlier lodged a Complaint Case bearing No. 105C of 2018 against the injured and others and the mother of the petitioner, namely Sumitra Devi, has also lodged earlier a Complaint Case bearing No. 188C of 2019 as the injured used to harass the widowed mother of the petitioner. The petitioner is having antecedent of two cases and he is on bail in both the cases. The petitioner is in custody since 19.07.2025 and charge-sheet has been submitted.

05. Learned APP for the State as well learned learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that the father of the informant received a number of injuries and was treated in two hospitals and even he was admitted in ICU during his treatment. Learned counsel further submits that one of the injuries of the father of the informant is grievous in nature.



06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the size and non-serious nature of injuries and also 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, Lakhisarai in connection with Halsi P.S. Case No. 170 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the 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.
- (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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