

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76180 of 2025

Arising Out of PS. Case No.-339 Year-2025 Thana- BANKA District- Banka

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1. Navin Rajak Son of Chabilal Rajak @ Chedi Rajak Resident of village - Kakwara, Police Station - Banka, District - Banka.
 2. Chanda Devi @ Savitri Devi Wife of Navin Rajak Resident of village - Kakwara, Police Station - Banka, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s	:	Mr. Parmanand Kumar, APP
For the Informant	:	Mr. Ranjan Kumar Srivastava, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 25-11-2025 Heard learned counsel for the petitioners and learned
APP for the State as well as learned counsel for the informant.

02. In the present case, the petitioners seek bail in connection with Banka P.S. Case No. 339 of 2025 registered for the alleged offences under Sections 126(2), 329(4), 115(2), 118(1), 119(1), 109(1), 303(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, in the background of land dispute, the petitioners and other co-accused persons armed with axe and rod suddenly assaulted the informant. The informant was assaulted five times with axe by all the accused persons. The brother of the informant was assaulted thrice with axe by the accused persons and sustained injuries on his head and nose. The



other family members of the informant were also assaulted by axe and rod. The wife and the brother-in-law of the informant also sustained injuries in this assault.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Though there is allegation that the informant received five injuries from axe and his brother received three injuries from axe. The injury reports falsify the allegations as no injury of any sharp weapon has been found. The injury reports show all the injuries are simple except the injury of Vikash Chandra Sharma as one of his injuries is stated to be grievous but the grievous injury is fracture of nasal bone. Land dispute is admitted and mother of petitioner no. 1 has filed a case for cancellation of *jamabandi* against the informant side. The petitioners are having clean antecedent and they are in custody since 10.08.2025. 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 petitioners. Learned counsel for the informant submits that the cancellation of *jamabandi* case filed by the mother of the petitioner no. 1 has been dismissed. The informant and his family members received a number of injuries and the injuries are even on vital part like head.



06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the absence of axe injuries on the victims and also considering the period of custody of the petitioners and their clean antecedents along with submission of charge-sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka/court concerned in connection with Banka P.S. Case No. 339 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 petitioners.
- (ii) The petitioners 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 petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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