

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79027 of 2025

Arising Out of PS. Case No.-524 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Tripakar Jha @ Kripakar Jha @ Kripakar Kumar Jha Son of Krishnanand Jha @ Krishnanandan Jha @ Krishna Nand Jha Presently Residing at village Basatpur, P.S.-Muffasil, District- East Champaran, Both Permanent Residents of village Gujraul, P.S.-Patahi, District- East Champaran
 2. Kiran Jha @ Kiran Devi Wife of Tripakar Jha @ Kripakar Jha @ Kripakar Kumar Jha Presently Residing at village Basatpur, P.S.-Muffasil, District- East Champaran, Both Permanent Residents of village Gujraul, P.S.-Patahi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pratik Mishra, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 16-12-2025 Heard learned Advocate for the petitioners and
learned Advocate for the State.

2. The petitioners apprehend their arrest in connection with Muffasil P.S. Case No.524 of 2025 registered for the offences punishable under Sections 329(3), 126(2), 115(2), 118(1), 117(2), 109, 303(2), 61(2), 352, 351(2) and 3(5) of the BNS, 2023.

3. In the morning of the fateful day, allegedly, the petitioners along their sons variously armed entered into the house of the informant and brutally assaulted him. It is



specifically alleged that the sons of the petitioners assaulted the informant by means of iron rod and axe due to which he sustained serious injury and when he fell down, whereupon, the petitioner no.1 repeatedly assaulted him by means of lathi due to which he sustained serious injury to his left hand with swelling and also to his entire body. On hulla being raised, when the family members of the informant came to his rescue, the accused persons, including the petitioners also assaulted them due to which some of the family members also sustained injuries. Besides the aforesaid accusation, it is also alleged that petitioner no.1 took away the valuables to the tune of Rs.5 lac with the help of other accused persons.

4. Learned Advocate for the petitioners referring to the FIR has contended that so far the accusation against the petitioner no.1 is concerned, it is specifically attributed that he assaulted the informant by means of lathi over his hand and the other part of his body; however, there is no such injuries found over his hand. One of the injuries, which is said to have been received over the occipital region of the informant and the same has been opined to be grievous in nature, has not been attributed against the petitioner no.1. Moreover, the petitioner no.2 is made accused in this case with only accusation that she



assaulted one Pintu Kumar with a broken bangle; however, the injury report does not corroborate with the allegation. It is next contended that in fact it was the informant and his family members, who were the aggressor and entered into the house of the petitioners and brutally assaulted the petitioners and others due to which four persons sustained serious injuries and two of them sustained grievous injury, which led to lodging of Muffasil P. S. Case No.525 of 2025 instituted by the petitioner no.1. To support the aforesaid contention, the FIR as well as the injury report have been brought on record. It is lastly contended that be that as it may, the informant and other persons have sustained simple injury except one, which has been found over the head of the informant, but the same has not been attributed to the petitioner no.1. The petitioners are the persons of fair antecedent and they undertake that they will fully cooperate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioner no.1 has actively participated in the crime and brutally assaulted the informant, besides there is allegation of snatching valuables.

6. Having considered the submissions set forth by the



learned Advocate for the respective parties and taking note of the factum of case and counter case, coupled with the injuries sustained to the persons of both the sides, besides the fact that the injury which is allegedly sustained over the head of the informant and termed to be grievous in nature is not attributed to the petitioner no.1 as also the fair antecedent of the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., East Champaran, Motihari in connection with Muffasil P.S. Case No.524 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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