

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81364 of 2025

Arising Out of PS. Case No.-331 Year-2025 Thana- WAJIRGANJ District- Gaya

Indra Sen @ Indra Sen Singh Son of Anil Singh Resident of Village - Bhura,
Police Station - Wazirganj, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Adv.

For the Opposite Party/s : Mr.Arun Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
APP. for the State.

2. In the present case, the petitioner seeks bail in connection with Wazirganj P.S. Case No. 331 of 2025, registered for the offences under Sections 126, 115(2), 117(2), 118(2), 109, 303(2), 352, 351(2) & 3(5) of the BNS.

3. As per the prosecution case, on opposition by the husband of the informant for cutting the road of the village, the petitioner and other co-accused persons assaulted him causing injuries to him. The miscreants fled away from the spot thinking him to be dead.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel for the petitioner



submits that only allegation against the petitioner is that he tried to give a blow of iron rod on the head of the husband of the informant and he tried to defend himself and the blow hit him on his fingers. The allegation of giving a *tangi* blow on the head of the husband of the informant is against co-accused Ashutosh Kumar. Further allegation of assault in against other co-accused persons. Learned counsel further submits that one linear undisplaced fracture of the left zygomatic arch has been found on the husband of the informant and there is no allegation against this petitioner for causing this injury. Learned counsel further submits that it is apparent from the FIR that informant is not an eye witness. Altogether five persons have been made accused in this case and two co-accused persons are minor. Even the father of the petitioner has been made accused in this case who is aged about 66 years. The petitioner has got one antecedent and is in custody since 29.08.2025 and charge sheet has been submitted.

5. Learned APP appearing for the State vehemently oppose the submission made on behalf of the petitioner. Learned APP submits that there is specific allegation against the petitioner that he tried to assault the husband of the informant on his head with help of iron rod but he somehow saved himself



and received injuries on his left finger.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that there is no allegation of assault on any vital part of the husband of the informant against this petitioner and also considering his 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 Additional Judicial Magistrate, First Class, Gaya/concerned court, in connection with Wazirganj P.S. Case No. 331 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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