

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82149 of 2025

Arising Out of PS. Case No.-215 Year-2025 Thana- MEHSI District- East Champaran

Aditya Raj @ Aditya Kumar S/o Anil Kumar Mishra @Anil Kumar, Resident
of Village- Ghariyari Chak / Ghariyali Chak, Ward No.- 3, P.S.- Mehshi, Dist-
East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Kundan Rathore@ Kundan Kumar, Adv.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In the present case, the petitioner seeks bail in
connection with Mehshi P.S. Case No. 215 of 2025 dated
25.07.2025, registered for the offences punishable under Sections
126(2), 115(2), 118(1), 303(2), 109, 76, 352 and 351(2) read with
Section 3(5) of the B.N.S., 2023.

3. As per the prosecution case, in the background of
land dispute, the petitioner and other co-accused persons assaulted
the informant and her family members. The allegation against the
petitioner is of assaulting the son of the informant with *farsa*
causing cut on his head. The other family members also received
injuries. The assailants also took away mobile phones and
ornaments.

4. Learned counsel appearing on behalf of the



petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The present case is counter blast of Mehshi P.S. Case No. 214 of 2025 instituted for the offences under Sections 126(2), 115(2), 118(1), 117(2), 118(2), 303(2), 109, 76, 352 and 351(2) read with Section 3(5) of the B.N.S., 2023 and in order to save their own skin, the informant's side has lodge this false and concocted case. The injury report of son of the informant shows it was merely an abrasion on skull front side of size $1/4'' \times 1/6'' \times 1/6''$, which was caused by hard and blunt object, which falsifies the allegation against the petitioner for using *farsa* on the head of the son of the informant. In the medico-legal certificate, the opinion about the injury has been given and it is stated to be Head Minimal Right Frontal Hematoma as it appears from the rejection order. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 22.08.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of injury and the type of weapon used which do not corroborate with the allegation against the petitioner and also



considering his period of custody, submission of chargesheet and his clean antecedent, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari / concerned Court, in connection with **Mehasi P.S. Case No. 215 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 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 non-appearance of the petitioner on single date 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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