

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82437 of 2025

Arising Out of PS. Case No.-200 Year-2025 Thana- RAJAON District- Banka

Vikash Das @ Bikash das S/O Bholi Das R/O Village- Kotwali, P.S- Nawada Bazar, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-12-2025 Heard learned counsel for the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Rajoun (Nawada OP) P.S. Case No. 200 of 2025 registered for the alleged offences under Sections 115(2), 126(2), 109, 352, 351(2), 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioner and other co-accused persons abused and assaulted the informant on a tea shop. The petitioner hit him on his head with an iron rod and the informant fell down and became unconscious. When the brother of the informant came for his rescue, he was also attacked with iron rod, causing fracture of his head.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case and this falsity is apparent from the fact that the FIR has been lodged after delay of six days without any explanation. Though there is allegation of hitting on the heads of the informant and his brother, their injury reports show grievous and simple injuries, respectively and only one injury each has been mentioned in their injury reports. The allegation for assaulting the brother of the informant is general and omnibus and the allegation against the petitioner is for assaulting the informant on his head, but there is only one injury and there is no repetition of blow. The dispute arose over a petty matter and there was no intention to cause death of any person. Learned counsel further submits that the petitioner is having clean antecedent and is in custody since 21.07.2025. Charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and his clean antecedent 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, Banka/court concerned in connection with Rajoun (Nawada OP) P.S. Case No. 200 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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