

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12838 of 2026

Arising Out of PS. Case No.-409 Year-2025 Thana- GARKHA District- Saran

Jitendra Rai S/o- Lalbabu Ray @ Lalu Rai Village- Ferusa Pharusa PS-
Garkha District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar Vivek, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 23-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Garkha P.S. Case No. 409 of 2025 registered for the offence punishable under Sections 191(2), 126(2), 115(2), 118(1), 109, 303(2), 352 of the B.N.S., 2023 corresponding to Sections 147, 341, 323, 324, 307, 379, 504 of the Indian Penal Code.

3. The case of the prosecution, in short, is that the petitioner has assaulted with *farsa*, which hit on left side of forehead of the informant. It is also alleged that all the accused persons have assaulted him.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. He has been falsely implicated in this case. He also submits that there is also a counter version of this case and from the perusal of the injury report of the informant, which is annexed at *Annexure-P/3*, it will transpire that injury no. 1 is a lacerated wound, a sharp cut incised wound above the eyebrow. He also submits that according to the doctor, this injury is simple in nature, caused by a hard and blunt substance, and injury no. 2, which is said to be grievous in nature, was not caused by the petitioner; rather, it was caused by some other accused person. He further submits that as per the allegation, the petitioner has assaulted with *farsa* which is a sharp cutting weapon, whereas the doctor has opined that the injuries were caused by a hard and blunt object. The allegation and injury do not correlate. Moreover, the petitioner is languishing in judicial custody since 31.12.2025.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner is having criminal antecedent of one case.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail



bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties
of the like amount each to the satisfaction of the learned Judicial
Magistrate, 1st Class, Saran at Chapra in connection with Garkha
P.S. Case No. 409 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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