

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14574 of 2026

Arising Out of PS. Case No.-217 Year-2025 Thana- ROSERA District- Samastipur

1. Md. Arsad @ Bhutta S/o Md. Natho @ Md. Nathu. Resident of Village- Udaipur, P.S.- Rosera, District- Samastipur
2. Rajeena Khatoon W/o Md. Natho @ Md. Nathu. Resident of Village- Udaipur, P.S.- Rosera, District- Samastipur
3. Md. Natho @ Md. Nathu S/o-Late Md. Haneef Resident of Village- Udaipur, P.S.- Rosera, District- Samastipur
4. Md. Hira @ Md. Heera S/o Md. Natho @ Md. Nathu. Resident of Village- Udaipur, P.S.- Rosera, District- Samastipur
5. Md. Kaisar S/o - Md. Natho @ Md. Nathu. Resident of Village- Udaipur, P.S.- Rosera, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Kumar, Advocate
For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-04-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Rosera P.S. Case No. 217 of 2025 registered for the offences under Sections 191(2), 126(2), 115(2), 352, 110 of B.N.S.

3. As per prosecution case, the petitioners came to the doors of the informant and started demolishing his house. All the petitioners slapped the informant and petitioner Md. Hira gave a Khanti blow on the left side of the head of the informant.

4. Learned counsel for the petitioners submits that



the petitioners are innocent and have falsely been implicated in this case. The allegation against petitioner Md. Hira of giving *Khanti* blow to the informant gets falsified from the nature of injury discussed by the learned Additional Sessions Judge in his rejection order which shows only one abrasion on the left ear of size 1/2 cm X skin. There is no other allegation of giving blow by any other weapon. However, the same rejection order also shows compression fracture of left vertebra and mild disc space narrowing at L4-L5 level and the injury was stated to be grievous. There is no allegation against any of the petitioners for causing such injury on the back of the informant. Therefore, the injury suffered by the informant does not corroborate the allegation. Learned counsel further submits that the petitioners and informant are agnates and there is dispute over passage and only some altercation took place which resulted in scuffle and no injury was caused to the informant. The petitioners are having antecedent of one case in which they are on bail.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-serious nature of allegation against the petitioners and



absence of corroborative injury and further considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, 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 Chief Judicial Magistrate-I, Rosera, Samastipur/concerned court in connection with Rosera P.S. Case No. 217 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S. and other following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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