

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21341 of 2026

Arising Out of PS. Case No.-32 Year-2026 Thana- SHIVSAGAR District- Rohtas

Harishankar Dubey @ Bhola Dubey Son of Late Ayodhya Dubey Resident of
Village - Mohaniya, P.S.- Shivsagar, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Harendra Nath Ojha, Advocate
For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Shivsagar P.S. Case No. 32 of 2026 registered for the offences under Sections 126(2), 115(2), 118(1), 352, 351(2), 109 & 3(5) of B.N.S.

3. As per prosecution case, the petitioner gave a *Hasua* blow to the informant on his neck but the informant tried to save himself by putting his left hand on the neck and received injury on his palm. The occurrence took place in the background of the fact that the petitioner earlier used to make commotion under the influence of alcohol and the informant warned that he would be reported to the police.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. All the offences are bailable except Sections 118(1) and 109 of BNS. But the injury report falsifies the allegation of any life threatening injury being inflicted by the petitioner. The injury report shows stitched wound on left hand of size 12mm X 1 1/2 cm on dorsum and ventral region which shows the injury is quite superficial. Learned counsel further submits that the present case has been instituted after delay of three days without any satisfactory explanation and this shows falsity of allegation. Learned counsel further submits that the petitioner and informant are agnates and are also neighbour. The petitioner is having clean antecedent.

5. Learned APP 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 minor and superficial nature of injury and also considering the clean antecedent of the petitioner and possibility of false implication, let the petitioner above named, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram/concerned court in connection with Shivsagar P.S. Case No. 32 of 2026, 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 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.

(Arun Kumar Jha, J)

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