

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21563 of 2026

Arising Out of PS. Case No.-569 Year-2025 Thana- CHAPRA MUFFASIL District- Saran

Raja Sah @ Raja S/O Late Harihar Sah @ Harihar Sah Sonar Resident of
Village- Sarha, Sandha, Khemaji Tola, Police Station- Muffasil, District-
Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

02. In the present case, the petitioner is apprehending his arrest in connection with Chapra Mufassil P.S. Case No. 569 of 2025 registered for the alleged offence under Sections 126(2), 115(2), 109, 303(2), 352, 351(2) r/w 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, on a dispute over throwing of garbage in front of the house of the informant, petitioner and his co-accused son assaulted the informant and his son. The petitioner gave a *khanti* blow on the forehead of the informant, causing fracture of his head. The daughter and the wife of the informant was also assaulted by the assailants who



snatched their ornaments.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. No occurrence in the manner as alleged has ever taken place. Both the informant and petitioner are full brothers and a quarrel took place on throwing of garbage. The injury reports falsify the allegation against the petitioner petitioner of giving *khanti* blow to the informant as injury reports of petitioner and his son show simple injury on the informant, which is a lacerated wound of size 1"xSS and the injury of the son of the informant is merely an abrasion on face. On the other hand, the petitioner has also received one lacerated wound on head-right parietal region and another lacerated wound on left parietal region (surface skin). The petitioner is having clean antecedent.

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

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the relationship of the parties and also considering the simple and superficial injuries of the informant and his son and further considering the possibility of false accusation, 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 bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra/court concerned in connection with Chapra Mufassil P.S. Case No. 569 of 2025, subject to the condition laid down under Section 482(2) of BNSS 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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