

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27246 of 2026

Arising Out of PS. Case No.-23 Year-2026 Thana- MOUZAHDIPUR District- Bhagalpur

Santosh Kumar S/o Kailash Prasad Chourasia R/o - Mirjanhat, P.S -
Mojahidpur, District – Bhagalpur. Petitioner/s

Versus

1. The State of Bihar.
2. Nisha Kumari W/o Santosh Kumar R/o Mohalla - Gurhatta Chowk,
Sikandarpur, Post - Sikandarpur, P.S - Mojahidpur, District – Bhagalpur.
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal, Advocate
For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-04-2026 Heard learned counsel appearing on behalf of

the petitioner and learned Additional Public Prosecutor

appearing on behalf of the State.

2. The accused/petitioner apprehending his

arrest in connection with Mojahidpur P.S. Case No. 23

of 2026 registered for the offences punishable under

Sections 115(2), 126(2), 85, 109, 303(2), 352, 351(2),

351(3) of BNS.

3. The allegation against the petitioner is to

assault the informant, who is none but his wife and also

to snatch cash of Rs. 35,000/- from her.

4. It is submitted by learned counsel appearing



on behalf of the petitioner that the present false case was lodged in the background of unhealthy matrimonial relationship. It is pointed out that much prior to this occurrence, the parties are in inimical terms and living separately. It is submitted that the house in which the informant is living presently was given by this petitioner. Explaining injury, it is submitted that same appears superficial and non-repeated, which the informant received during course of scuffling with petitioner. It is pointed out that said injury was not made with intention to cause death.

5. Explaining criminal antecedent, it is submitted that petitioner found involved in one more criminal case of similar nature with same informant, where he is on bail.

6. Learned APP opposed the prayer of bail.

7. In view of aforesaid factual submissions and by taking note of fact as the assault *prima facie* not appears repeated and also to cause any grievous injury,



prima facie negating any intention to cause death, where alleged occurrence took place in the background of the previous matrimonial discord, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 9, Bhagalpur/concerned Court, where the case is pending in connection with Mojahidpur P.S. Case No. 23 of 2026 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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