

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26738 of 2026

Arising Out of PS. Case No.-159 Year-2025 Thana- BHAGWANPUR District- Vaishali

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Kauslender Kumar, Son of Shashikant Ray, Resident of village-Rahsa Kabari
Tola, P.S-Bhagwanpur, Dist- Vaishali. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-04-2026 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner named in FIR and
apprehending his arrest in connection with Bhagwanpur P.S.
Case No. 159 of 2025 registered for the offences
punishable under Sections 115, 126(2), 351(2), 352, 109,
303(2) and 3(5) of Bhartiya Nayay Sanhita 2023.

3. As per FIR, petitioner alleged to assault
informant while he refused to pay extortion money to
petitioner and co-accused persons and also taken away cash
of Rs. 11,800/-, which was kept in his pocket for payment to
cement shop owner.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that the present FIR was lodged on 17.06.2025 for the occurrence dated 13.06.2025 out of local disputes and differences, where name of petitioner was disclosed to informant by unknown person. It is pointed out that on the basis of hearsay input collected from unknown sources, the petitioner was named with present FIR. It is submitted that even as per injury report, three injuries were found upon the informant, where the injury found on frontal and parietal region of the head and injury no. 2 which was of chest pain found simple in nature whereas the third injury the lacerated right hand, which upon examination found fractured. It is submitted that the grievous injury was on non-vital part and not appears repeated and, therefore, it can be safely said that the petitioner was not under intention to cause death of the informant.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as the name of petitioner was disclosed by the informant after five days of the occurrence, *prima facie* that too on the basis of hearsay input from undisclosed



source, coupled with the fact that the injury which found upon vital part of the body also found simple in nature, *prima facie* negating intention to cause death, 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.-VI, Successor Court, Vaishali at Hajipur/concerned Court, where the case is pending in connection with Bhagwanpur P.S. Case No. 159 of 2025 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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