

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28949 of 2026

Arising Out of PS. Case No.-536 Year-2025 Thana- BANKA District- Banka

Sonam Kumar S/o Manohar Mandal, R/o Village- Eksingha, Police Station-
Banka, District- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ajay Mukherjee, Advocate
For the State	:	Mr. Bharat Lal, APP
For the Informant	:	Mr. Pankaj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-05-2026 Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel for the informant.

2. In the present case, the petitioner is apprehending his arrest in connection with Banka P.S. Case No. 536 of 2025, dated 02.12.2025, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 303(2), 351(2) and 352 read with Section 3(5) of the B.N.S., 2023.

3. As per prosecution case, in the background of land dispute, petitioner and other co-accused persons assaulted the informant and his sons causing injuries to them. They also took away rupees one lakh from the house of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is case and counter version and Banka P.S. Case No.



537 of 2025 has been registered against the informant of this case instituted for the offences punishable under Sections 126(2), 115(2), 109(1), 303(2), 351(2) and 352 read with Section 3(5) of the B.N.S., 2023. The informant and father of the petitioner are own brothers and there is *bona fide* land dispute between the parties. In this background, a free-fight took place between the parties and both the sides received injuries and the injuries received by the petitioner's side is without explanation. Learned counsel further submits that the injury report of the informant and his sons show simple injuries. There was no intention to cause death and the allegation of theft is ornamental. Learned counsel lastly submits that petitioner is having clean antecedent.

5. Learned APP as well as learned counsel for the informant oppose the submissions made on behalf of the petitioner. Learned counsel for the informant submits that there is specific allegation against the petitioner that he hit the informant causing fracture of his left hand and also assaulted his sons on their head causing its fracture. However, he concedes that no fracture has been observed on any part of their body.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



background of land dispute, simple nature of injuries and also considering the counter version, 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, Banka / Concerned Court, in connection with **Banka P.S. Case No. 536 of 2025**, subject to the conditions 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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