

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33776 of 2026

Arising Out of PS. Case No.-237 Year-2025 Thana- Lakho District- Begusarai

Karelal Poddar, Male, aged about 34 years, Son of Gopal Poddar, Resident of village - Bhairwar, Ward No- 1, P.S. - Lakho, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 20-05-2026 Learned counsel for the petitioner, learned APP for the State and learned counsel for the informant heard through virtual mode.

2. The petitioner seeks bail in connection with Lakho P.S. Case No. 237 of 2025 instituted for the offences punishable under Sections 126(2), 115(2), 109(1), 351 (2) (3), 352, 125 /3 (5), 76 and 303(2) of the BNS, 2023.

3. As per allegation in FIR, the specific allegation against the petitioner is that he assaulted by iron rod upon the brother of the informant, namely Raj Kumar, due to which he sustained head injury and became unconscious.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case due to land dispute attributed between both the parties. He submits that both the parties are



agnates and their houses are situated adjacent to each other. He further submits that on a trivial issue of passage of drainage there was some hot exchange of words took place between the parties and also some *mar-pit* also took place. He next submits that all the injuries were found to be simple in nature except injury caused to Raj Kumar Poddar, who was allegedly assaulted over the head by the petitioner by means of iron rod. He lastly submits that there is no any repetition of assault over injured. He again submits there is no any independent witness of the occurrence. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 21.12.2025.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for regular bail of the petitioner.

6. From perusal of the FIR and also perused the impugned order dated 16.04.2026 passed by the learned District and Additional Sessions Judge-1st, Begusarai, it appears that on the basis of written report of the informant, FIR has been registered under Sections 126(2), 115(2), 109(1), 351 (2) (3), 352, 125 /3 (5), 76 and 303(2) of the BNS, against six co-accused persons including the present petitioner and the specific allegation against the petitioner is that he assaulted by means of



iron rod upon the brother of the informant, namely Raj Kumar, due to which, he sustained head injury and became unconscious. From perusal of the injury report, which shows that a fractured in left zygomatic arch and also one injury is found to be grievous in nature over scalp caused by hard and blunt substance and several witnesses have supported the case of the prosecution, so considering the facts and circumstances of the case and submissions of learned counsel for the parties, gravity of offence and nature of the allegations, as well as grievous injury sustained on the informant's brother, I am not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

8. However, the petitioner, if so want may renew his prayer for regular bail before the trial Court after completion of eight months of his custody and the trial Court shall consider his prayer for bail of the petitioner without being prejudiced by the present order.

(Ramesh Chand Malviya, J)

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