

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41684 of 2026

Arising Out of PS. Case No.-424 Year-2025 Thana- CHAKIA District- East Champaran

Chhotu Kumar, Son of Harendra Paswan @ Harendra Hajra, Resident of
village - Nagar Parishad Chakia, ward No. 22 Hindu Chakia P.S. - Chakia
District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Singh, Advocate
	:	Mr. Rahbar Haque, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 31-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Chakia P.S. Case No.424 of 2025 registered under Sections 126(2), 115(2), 109, 352, 351(2), 303(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (in short 'BNS').

3. As per FIR, petitioner along with co-accused persons alleged to assault informant by using lathi, iron rod etc., causing head and bodily injuries to informant and others during the occurrence, having intention to cause their death, where occurrence is alleged to be arising out of land



disputes.

4. It is submitted by learned counsel appearing for the petitioner that the present occurrence took place in the background of land disputes, where petitioner alleged to assault on the head of the informant causing single injury, which upon medical examination found simple in nature. It is further submitted that as assault was not repeated and the nature of injury was simple, it can be safely said that petitioner was not under intention to cause death of the informant. Petitioner claimed clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as *prima facie* allegation of repeated assault is not available against petitioner, where upon medical examination the nature of injury found simple, accordingly, the petitioner above-named, who is a man of clean antecedent, is directed to be released on bail, in the event of his arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned C.J.M, Motihari, East
Champan in connection with Chakia P.S. Case No.424 of
2025, subject to the conditions as laid down under Section
438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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