

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44255 of 2026

Arising Out of PS. Case No.-18 Year-2026 Thana- Hariharnath P.S. District- Saran

Rahul Kumar @ Bhola Singh @ Bhola Kumar @ Rahul, S/o Late Mohan Singh @ Vijay Kumar Singh, R/o Village-Chidiya Bazar, P.S.- Hariharnath, District- Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar, Advocate Mr. Mani Shankar Mishra, Advocate
For the Opposite Party/s	:	Mr. Navin Kumar Pandey, APP
For the Informant	:	Mr. Niraj Kumar, Advocate Mr. Prashant Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-07-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State duly assisted by learned counsel appearing for the informant.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Hariharnath P.S. Case No.18 of 2026 registered under Sections 126(2), 115(2), 109, 351(2) and (3), 352 read with 3(5) of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.').

3. As per FIR, petitioner alleged to assault the informant, causing chest injury, where injury was alleged to be caused by using one sharp-edged weapon like knife. The allegation is also to demand extortion of Rs.5 lakhs.



4. It is submitted by learned counsel appearing for the petitioner that prior to this case, the father of co-accused namely, Sanjay Singh was assaulted by informant and others and he was badly injured in that case for which Sonpur P.S. Case No.979 of 2023 was lodged, where police after completion of investigation, submitted closure report/final form against informant and others, whereafter, the learned jurisdictional Magistrate took cognizance on the basis of materials available on record, whereafter as an afterthought, present false case was lodged, implicating petitioner, being son of the friend of the informant of aforesaid case, with present crime in question.

5. Arguing further, it is submitted that upon medical examination, the nature of injuries found simple in nature. In this connection, it is further argued that the doctor opined that the injuries were caused by hard and blunt substance, which further falsify the allegation and version of the informant, as it was specifically alleged to cause injuries, which is a sharp-edged weapon and thus, by having all probabilities to cause incised wound. It is also



submitted that the nature of both injuries is also lacerated. Explaining criminal antecedent, it is submitted that the petitioner found involved in three more criminal cases, where after facing trial, he was acquitted in Sonapur P.S. Case No.59 of 2023 and, therefore, effectively his criminal antecedent is of two cases only, in which he is on bail.

6. Learned APP duly assisted by learned counsel appearing for the informant while opposing the prayer of bail submitted that the petitioner was specifically alleged to inflict knife injuries, which was on thorax and head region. However, he fairly conceded that the nature of injuries upon medical examination found simple, as submitted aforesaid.

7. In view of aforesaid factual submissions and by taking note of fact as the nature of injuries upon medical examination found simple in nature, which *prima facie* not appears to corroborate as to cause by using sharp-edged weapon like knife, as alleged through FIR, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail 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 Judicial Magistrate, Saran at Chapra/concerned court in connection with Hariharnath P.S. Case No.18 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short 'CrPC')/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short 'BNSS').

(Chandra Shekhar Jha, J.)

Sanjeet/-

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