

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55589 of 2025**

Arising Out of PS. Case No.-417 Year-2023 Thana- PHULPARAS District- Madhubani

Mahesh Singh, S/o Late Murat Singh, R/o Village-Bharahi Tole, Chharapatti,  
P.S.- Phulparas, District- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      06-02-2026                      Heard learned counsel for the petitioner  
and learned Additional Public Prosecutor for the  
State.

2. The accused/petitioner seeks bail in  
connection with Phulparas P.S. Case No.417 of  
2023 registered for the offence punishable under  
Sections 341, 323, 307, 379, 504 read with 34 of  
the Indian Penal Code.

3. The accused/petitioner is named in the  
FIR and is in custody since 14.05.2025.

4. Allegation against petitioner is to  
assault the informant on her head by using sharp-  
edged axe, which was alleged to cause with  
intention to cause death, where occurrence arising



out of land dispute.

5. It is submitted by learned counsel appearing for petitioner that the occurrence was basically free fight in nature, where both parties received injuries during the occurrence. It is submitted that upon medical examination, no external injury was found upon informant, namely, Ramkala Devi but, subsequently, on the basis of X-ray report, a thin line fracture was found and, therefore, the injury was reported as grievous. It is submitted that the allegation of assault is not appearing repeated and moreover no incised wound, which appears *prima facie* probable in terms of allegation, as same was alleged to be caused by sharp-edged axe, no such injury was found upon, making allegation doubtful on its face. It is submitted that allegation of assault is not appearing repeated, without having any intervening circumstances, creating a doubt that petitioner was under intention to cause death of injured/informant.

6. Arguing further, it is submitted that



investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence. The petitioner is a man of clean antecedent.

7. Learned APP opposes the prayer for grant of bail to the petitioner.

8. In view of aforesaid factual submissions and by taking note of fact as the alleged assault caused by petitioner not appears repeated, without having any intervening circumstances, coupled with the fact that charge-sheet has already submitted, where petitioner remains in custody since 14.05.2025, accordingly, the petitioner, above-named, 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.-II, Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No.417 of 2023 corresponding to G.R. No.1402 of 2023, subject to the conditions as laid down under Section 437(3) of the



CrPC/under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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