IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68795 of 2026

CNR No. BRHC010974532026

Arising Out of PS. Case No.-218 Year-2026 Thana- Arwal District- Arwal

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1. Santosh Saw @ Santosh Kailash Sav S/o Kailash Saw @ Kailash Sah @ Kailash Sav Resident of village -Arwal Sipah, P.S. and Distt.- Arwal
2. Deepak Saw S/o Kailash Saw @ Kailash Sav @ Kailash Sah Resident of village -Arwal Sipah, P.S. and Distt.- Arwal

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

3 06-11-2026 Heard learned counsel for the petitioners and learned APP for the State.

02. In the present case, the petitioners seek bail in connection with Arwal P.S. Case No. 218 of 2026 registered for the alleged offences under Sections 126(2), 115(2), 117(2), 109, 74, 3(5) of BNS.

03. As per prosecution case, the petitioner and other co-accused persons had been assaulting the daughter of the informant and when the informant opposed, she was assaulted with iron rod by the petitioners on her head causing its fracture. There is further allegation against the petitioners

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that they tried to outrage the modesty of the daughter of the informant. They also threw the household articles and locked the house.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Petitioner no. 1 is the husband of the informant and petitioner no. 2 is the brother-in-law of the informant, respectively. There is dispute over partition of land and the informant is opposing the sale of land by her mother-in-law for the marriage of her sister-in-law and for this reason, she has instituted a false case. Learned counsel further submits that the allegation of outraging the modesty of the daughter of the informant against petitioners is absolutely false as they are none other than the father and the uncle of the said girl. The allegations are completely absurd. The injury report of the informant shows only a laceration at scalp of size 1' x 1/2" x 1/2" caused by hard and blunt substance and the injury is stated to be simple. Petitioner no. 1 is having antecedent of one case in which he is on bail whereas cpetitioner no. 2 is having clean antecedent. The petitioners are in custody since 11.07.2026 and charge sheet has been submitted.

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05. Learned APP opposes the submission made on behalf of the petitioners.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the improbable nature of allegation in the background of property dispute and relationship of the parties and also considering the simple nature of injury of the informant and further considering the period of custody of the petitioners and submission of charge sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal/concerned Court in connection with Arwal P.S. Case No. Arwal P.S. Case No. 218 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below.

(iii) In case of absence on three

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consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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