**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.68800 of 2026**

**CNR No. BRHC010979132026**

Arising Out of PS. Case No.-438 Year-2025 Thana- Arwal District- Arwal

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Randhir Kumar @ Bablu Kumar Son of Surendra Saw R/o vill- Pheku Bigha, P.O.- Jalpura, P.s.- Arwal, Distt.- Arwal

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Sanjay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**

ORAL ORDER

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

02. In the present case, the petitioner seeks bail in connection with Arwal P.S. Case No. 438 of 2025 registered for the alleged offences under Sections 189(2), 126(20, 115(2), 117(2), 109 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioner and other co-accused persons armed with *lathi*, *danda* and rod surrounded the uncle of the informant and this petitioner gave a blow of ironr rod on his head, causing its fracture. Thereafter, the other co-accused persons also assaulted him with *lathi* and *danda.* When the family members of the informant came for rescue of his uncle, they were also assaulted.

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04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel further submits that the parties are next door neighbors and there is admitted land dispute between them. There is a counter case bearing Arwal P.S. Case No. 440 of 2025, which was lodged by the wife of the brother of the petitioner against the uncle of the informant of this case and the said case has been instituted for the same occurrence. Learned counsel further submits that in the background of previous dispute, a free fight took place between the parties and the uncle of the informant received some injuries. The injury report of the uncle of the informant shows a lacerated wound on skull (occipital region) of size 3" x 1" x ½" but the injury is stated to be grievous only on the ground that the patient was referred to Higher Center Patna but patient did not go there. The injuries of other injured, namely Deenanath Saw was found to be simple where injury of Sonu Saw was found to be grievous due to fracture. Learned counsel further submits that the only allegation against the petitioner is of assaulting the uncle of the informant on his head but there was no repetition of blow and the injury does not appear to be life fatal. For causing injuries to other persons, there is no allegation against this petitioner. The

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petitioner is having clean antecedent and is in custody since 24.07.2026. Charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the single injury of the victim of assault of this petitioner and also considering the case and counter case of the parties and further considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal/court concerned in connection with Arwal P.S. Case No. 438 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

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

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

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail

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bond of the petitioner will be liable to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

Ashish/-

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