IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67378 of 2026

CNR No. BRHC010984402026

Arising Out of PS. Case No.-194 Year-2026 Thana- GANGABRIDGE District- Vaishali

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Bindalal Rai @ Binda Rai @ Binda Ray S/o Lalbabu Rai, Resident of Village- Terasiya, P.S.- Gangabridge, Distt.- Vaishali.

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner : Mr. Vijay Kumar, Advocate
For the State : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

3 04-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Gangabridge P.S. Case No. 194 of 2026 dated 20.07.2026, registered for the offences punishable under Sections 126(2), 115(2), 109, 352, 351(2) and 3(5) of the B.N.S., 2023.

3. As per the prosecution case, petitioner and other co-accused persons assaulted the informant and his family members in the background of land dispute causing a number of injuries to them.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. No occurrence in the

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manner as alleged has ever taken place. Both sides are agnates and there is admitted land dispute between them. A proceeding under Section 163 of the B.N.S.S., 2023 has been initiated by the informant earlier and the said proceeding was dropped on 18.06.2026 stating it to be a civil dispute. Therefore, no injunction was operating on the relevant date and time under Section 144 of the Cr.P.C. (Section 163 of the B.N.S.S., 2023). There is counter version and brother of the informant namely Dilip Kumar has instituted an FIR vide Gangabridge P.S. Case No. 195 of 2026 against the informant and others for the same occurrence. Two injuries have been found on the informant and the author of which is stated to be the petitioner, but one of the injury is the fracture of left hand fingers and the said injury is grievous, whereas the learned Sessions Court while rejecting the prayer of the petitioner observed that lacerated wound on the skull of the informant was found to be grievous, but this assertion is an error of record. The lacerated wound on the skull of the informant is of size ½” x 1/8” x Muscle Deep and while discussing the nature of injuries, fracture of the first and second metacarpal bones of the left hand was seen. Learned counsel further submits that there was no intention to cause death of any person and all the offences mentioned in the FIR are bailable

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except Section 109 of the B.NS., 2023 which is not made out in the present facts and circumstances. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 21.07.2026.

5. Learned A.P.P. appearing on behalf of the State vehemently opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation against the petitioner and also considering the his clean antecedent, period of custody and submission fo chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Vaishali at Hajipur / concerned Court, in connection with Gangabridge P.S. Case No. 194 of 2026, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

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

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(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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