IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68837 of 2026

CNR No. BRHC010988082026

Arising Out of PS. Case No.-497 Year-2026 Thana- DHANARUA District- Patna

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Ajay Kumar @ Bablu S/O Chandeshwar Prasad @ Chindeshwar Prasad Resident of Vill.- Patharhat, P.S.- Dhanarua, Dist.- Patna.

... ... Petitioner/s

Versus

1. The State of Bihar
2. Punam Devi W/O Ajay Kumar @ Bablu Resident of Vill.- Patharhat, P.S.- Dhanarua, Dist.- Patna.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Amrit Lal, Advocate
For the State : Mr. Rajendra Nath Jha, APP
For the O.P. No. 2 : Mr. Sheonandan Pandit, Advocate

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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 as well as learned counsel for the informant/opposite party no. 2.

02. In the present case, the petitioner seeks bail in connection with Dhanarua P.S. Case No. 497 of 2026 registered for the alleged offences under Sections 115(2), 126(2), 109(1), 351(2), 352, 85 r/w 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the husband of the informant solemnized another marriage and relationship between the parties has been estranged. Further allegation against the petitioner is that he used to abuse and assault the informant and mentally and physically torture her. He also made attempt on the

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life of the informant and her son. Further, on 25.07.2026, the petitioner along with other co-accused persons assaulted the informant with *lathi* and rod and in assault by the petitioner, the informant received injuries near her right eye. The co-accused assaulted her with *lathi* on her legs and hands.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence in the manner as alleged has ever taken place. The petitioner has been maintaining his wife and son and has been residing with them and he has not solemnized any other marriage. The injury report of the wife of the petitioner shows merely an abrasion of 1 cm x 1cm and the injury is stated to be simple, which falsifies the allegation that the petitioner hit his wife with iron rod. The petitioner was apprehended when he went with his wife for her treatment. The petitioner is having antecedent of one case in which he is on bail. The petitioner is in custody since 26.07.2026 and charge-sheet has been submitted.

05. Learned APP for the State as well as learned counsel for the informant oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that the petitioner used to assault the informant and treat her with cruelty.

06. Having regard to the facts and circumstances and

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submission made on behalf of the parties and considering the relationship of the parties and superficial nature of injury alleged against the petitioner and also considering the period of custody of the petitioner 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 Sub Divisional Judicial Magistrate, Masaurhi, Patna/court concerned in connection with Dhanarua P.S. Case No. 497 of 2026, 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 bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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