

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68645 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- Madhusudanpur District- Bhagalpur

Santosh Jha S/o- Late Digambar Jha, Resident of Village- Madhusudanpur,
PS- Madhusudanpur, Dist- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar No. 6, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 05-01-2026 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 Session Trial No. 531 of 2025, arising out of Madhusudanpur P.S. Case No. 43 of 2025 dated 01.04.2025, registered for the offences punishable under Sections 126(2), 115(2), 109, 118(2) and 352 read with Section 3(5) of the B.N.S., 2023.

3. As per the prosecution case, when the informant made complaint to the brother of the petitioner for asking him to desist from from consuming the intoxicating substance, the petitioner assaulted the informant with sword causing fracture of his jaw and informant also sustained injuries on his hand. The wife of the informant was also assaulted. The informant was referred to higher centre for his treatment finding his condition



to be serious.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in the present case. No occurrence in the manner as alleged has ever taken place. The injury report does not show any sharp cut wound though a number of lacerated wounds have been observed from the person of the informant. The injuries are lacerated wounds and some of the injuries have been found to be grievous in nature. He further submits that the petitioner happens to be the nephew of the informant and he is fatherless. The petitioner along with mother has been staying on the land of his maternal grand father and informant has been trying to dispossess them from his house. In one such occurrence, some scuffle took place. 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 05.05.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner and submits that the informant received a number of injuries which are lacerated wounds on different parts of the body.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



period of custody of the petitioner and submission of chargesheet against him, 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 Sessions Judge-VIII, Bhagalpur / concerned Court, in connection with **Madhusudanpur P.S. Case No. 43 of 2025**, 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.

(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 non-appearance of the petitioner on single date 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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