

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69765 of 2025

Arising Out of PS. Case No.-193 Year-2025 Thana- CHANDI District- Nalanda

1. Jathu Saw @ Bijendra Saw S/O Late Bhajan saw @ Dhannu Saw R/o- Village- Utra, P.O.-BhediyaUtra, P.S.- Chandi, District- Nalanda.
2. Rekha Devi W/O Jathu Saw @ Bijendra Saw R/o- Village- Utra, P.O.- BhediyaUtra, P.S.- Chandi, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Shashi Priya Pathak, Advocate Mr. Ambrish Kr Jha, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar No. 2, APP
For the Informant	:	Mr. Chhotelal Mishra, Advocate Mr. Jyoti Prasad, Advocate Mr. Nagendra Kumar, Advocate Mr. Himanshu, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 06-01-2026 Heard learned counsel for the petitioners and learned
APP for the State.

02. In the present case, the petitioners seek bail in connection with Chandi P.S. Case No. 193 of 2025 registered for the alleged offences under Sections 329(3), 126(2), 115(2), 76, 109, 303(2), 352 and 351(2) r/w Section 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioners and other co-accused persons assaulted the informant with pieces of brick, causing fracture of his head. When the mother of the informant intervened, she was assaulted with rod and *khanti* on her head, causing fracture of her forehead. The sister and the father of the



informant were also assaulted.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The father of the informant and the petitioners are brothers and there is dispute over right of way and due to this land dispute, occurrence took place and both sides received injuries. Though it was a minor quarrel, the FIR has been lodged with serious allegation. There is only one injury report which is of Bebi Devi and absence of injury reports of other victims falsifies the allegation against the petitioner and others. Learned counsel further submits that the petitioner is having clean antecedent and is in custody since 24.07.2025. Charge-sheet has been submitted.

05. Learned APP for the State as well as learned counsel for the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that in the alleged assault, Bebi Devi received serious injuries and mild cerebral and cerebellar atrophy and minimally displaced fractures in anterior wall of both frontal sinus and nasal bones of both sides with overlying soft tissue swelling and pneumo-orbit has been mentioned in the injury report and it shows the petitioners' side brutally assaulted the mother of the informant.

06. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the general and omnibus nature of allegation and also considering the period of custody of the petitioners along with 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 Additional Chief Judicial Magistrate-I, Hilsa (Nalanda)/court concerned in connection with Chandi P.S. Case No. 193 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 petitioners.
- (ii) The petitioners 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 petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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