IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75261 of 2026

CNR No. BRHC011054012026

Arising Out of PS. Case No.-500 Year-2026 Thana- VAISHALI District- Vaishali

==========

Md. Alam @ Raju @ Md. Raju Son of Jumman Miya @ Md. Jumman @ Md. Jumman Minya Resident of Village - Kishanpura, P.S.- Vaishali, District - Vaishali.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr.Md Soban Asghar
For the Opposite Party/s : Mr.Nitya Nand Tiwary

==========

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 04-11-2026 Heard learned Advocate for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Vaishali P.S. Case No. 500 of 2026, registered for the offences punishable under Sections 126(2), 329(3), 115(2), 117(2), 109(1), 352, 351(2) of the BNS.

3. The allegation against the petitioner is of causing assault to the informant and his wife by means of bamboo stick, leading to serious injuries.

4. Learned advocate for the petitioner, referring to the FIR, primarily contended that with respect to an occurrence which took place in the morning of 24.06.2026, the present FIR

WEB COPY

came to be instituted on 01.07.2026 after a delay of seven days without there being any plausible explanation. The entire prosecution case falls to the ground for the simple reason that at the first instance it is alleged that the petitioner has assaulted the informant by means of bamboo, however there is no such injury. So far the injuries which have been caused upon the head and right leg of the informant's wife are concerned, the same also does not corroborate with the injury report, the copy of which is brought on record as Annexure P/2, as no such injuries have been found. The wife of the informant suffered comminuted displaced fracture on nasal bone, due to which the injuries referred to be grievous in nature. However, in the submission of learned advocate for the petitioner, the same has occurred due to her being falling down on rough surface. The petitioner is a man of fair antecedent and he undertakes that he will fully cooperate with the proceeding of the court.

5. On the other hand, learned advocate for the State vehemently opposed the bail application.

6. Considering the rival submissions advanced by learned advocates for the respective parties and taking note of the inordinate delay in lodging of the FIR, coupled with the fact that the injury report does not corroborate the allegation levelled

WEB COPY

against the petitioner, besides his fair antecedent, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali in connection with Vaishali P.S. Case No. 500 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

Anjani/-

U		T	

WEB COPY