

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78128 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- THARTHARI District- Nalanda

1. Bablu Sharma Son of Suresh Mistri Resident of village- Asta Kharjama, Ps-
Thakurbari, Dist- Nalanda
2. Bittu Kumar Son of Suresh Mistri Resident of village- Asta Kharjama, Ps-
Thakurbari, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 19-01-2026 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 352, 118 (1), 109, 3(5) of the BNSS.

3. The case of the prosecution is that the petitioners who are brother-in-law and nephew of the informant, assaulted the husband of the informant with a '*knife*' and '*blade*'. It is further alleged that when the informant went to rescue her husband, she was also assaulted by the petitioners.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in



connection with the present case. It is further submitted that a bare perusal of the injury report clearly reveals that the doctor has opined that the injury sustained by the husband of the informant, namely, Himanshu Kumar was caused by a hard and blunt substance and has been described as a lacerated wound. It is well-settled that lacerated wounds are not caused by sharp cutting weapons such as a '*knife*' or *blade*, which completely falsifies the prosecution story. It is further submitted that so far as informant, namely, Guria Kumar is concerned, the injury allegedly sustained by her has also been opined to be caused by a hard and blunt substance. Thus the medical evidence does not support the allegation of assault by sharp-edged weapons. It is further submitted that the occurrence, if any, took place due to sudden scuffle between the parties arising out of a family dispute without any premeditation. Moreover, the petitioners are languishing in judicial custody since 03.05.2025 having no criminal antecedent.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on



bail in connection with Tharthari P.S. Case No. 52 of 2025 on
furnishing bail bond of Rs.10,000/- (ten thousand) with two
sureties of the like amount each to the satisfaction of learned
Additional Chief Judicial Magistrate, 1st Hilsa, Nalanda.

(Ashok Kumar Pandey, J)

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