IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79897 of 2026

CNR No. BRHC011153132026

Arising Out of PS. Case No.-39 Year-2025 Thana- MALI District- Aurangabad

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Krishna Singh S/o Shyam Narain Singh R/o Village - Dhibra Par, P.S - Mali, District - Aurangabad

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mrs.Mukul Kumari, Advocate
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Mali P.S. Case No. 39 of 2025 registered for the alleged offences under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 329(3), 109, 303(2), 352 of BNS.

03. As per prosecution case, the petitioner and other co-accused persons opposed the construction of PACS godown and boring adjacent to it. The allegation against the petitioner is that he gave a sword blow to the brother of the informant on his head. The other family members of the informant were also

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assaulted by other co-accused persons.

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 FIR has been instituted after delay of six days without any explanation. The injury report does not support the allegation against the petitioner that he gave sword blow on the brother of the informant and the injury report shows the injury was caused by hard and blunt object though injuries are said to be fracture of right frontal bone and fracture of left parietal bone which falsifies the allegation against the petitioner that he gave a sword blow to the brother of the informant. Altogether 12 persons have been made accused in this case, who are members of the same family, but it is very surprising that only one person got injured in this assault. There is counter version and for the occurrence of the same date and time, cousin of the petitioner lodged a case against the informant and others vide Mali P.S. Case No. 38 of 2025, under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 329(3), 109, 352, 351(2), 3(5) of BNS. The petitioner is having antecedent of one case in which he is on bail. The petitioner is in custody since 08.09.2026 and charge sheet has been submitted.

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05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the absence of any injury caused by sharp cut weapon and also considering the period of custody of the petitioner and 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 Judicial Magistrate, Ist Class, Aurangabad/concerned Court in connection with Mali P.S. Case No. 39 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also 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

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petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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