

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84090 of 2025

Arising Out of PS. Case No.-132 Year-2025 Thana- SAHPUR District- Bhojpur

Rahul Turha Son of Late Kashi Turha Resident of village -Sarana PS
-Shahpur Distt- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sahja Nand Sharma, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-01-2026 Heard the learned Advocate for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Shahpur P.S. Case No. 132 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 109, 352, 351(2) and 3(5) of the B.N.S.

3. The allegation against the petitioner is of causing assault by means of iron rod over the head of the informant, leading to serious injury, besides further allegation against other accused persons of causing assault by means of *lathi* and *danda*.

4. Learned Advocate for the petitioner submitted that prior to the institution of the present case, the persons of the petitioner's side had filed Shahpur P.S. Case No. 130 of 2025, and the present case is nothing but a counter blast to the present



case. It is further contended that it is the informant's side, who were aggressor and started assaulting the persons of the petitioner's side, leading to some unfortunate injuries to persons of both the sides. Moreover, the injury, which is allegedly sustained to the informant of the present case is concerned, the same is found to be simple in nature, as has been instructed. It is further contended that, be that as it may, the petitioner bears fair antecedent and he undertakes that he will fully co-operate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the impugned order does not discuss about the nature of injury, though it has been said that the victim suffered two lacerated wounds on front temporal area, which is a vital part of the body.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the factum of case and counter case, coupled with the submissions of the petitioner to the extent that the injury sustained to the informant is simple in nature, besides the fair antecedent, let the petitioner above named 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 A.C.J.M – 1st, Bhojpur at Ara in connection with Shahpur P.S. Case No. 132 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further conditions that:-

- (i) One of the bailors shall be the own/close family members of the petitioner.
- (ii) The Court below shall verify that the nature of the injury, being simple, sustained to the informant.

(Harish Kumar, J)

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