

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88815 of 2025

Arising Out of PS. Case No.-250 Year-2025 Thana- JALALPUR District- Saran

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Avinash Kunwar @ Chhotu S/O Late Arun Kumar R/O Village- Kishunpur,
P.S.- Jalalpur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Anjani Parashar, Advocate
For the Opposite Party/s	:	Mr.Umesh Lal Verma, APP
For the Informant	:	Mr. Shubash Pandey, Advocate
		Mr. Amit Kumar Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 22-01-2026 Heard learned counsel for the petitioner, Informant
and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 126 (5), 127 (2), 115 (2), 118 (1), 109, 76, 303 92), 351 (2) and 3 (5) of the BNS.

3. The case of the prosecution is that the petitioner along with his brother, namely, Ashutosh Kumar and two others surrounded the daughter of the informant and started taking her towards the 'jungle'. When the daughter of the informant objected, it is alleged that this petitioner started disrobing her and when she raised alarm, this petitioner assaulted her with a 'farsa'.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that a bare perusal of the First Information Report, would show that the genesis of the occurrence is that four persons, two of whom are own brothers had surrounded the girl and were allegedly taking her towards a '*jungle*' It is also submitted that the specific allegation against the petitioner is that he assaulted with '*farsa*' on the head of the victim of this case. However, from a perusal of the injury report, which is annexed as Annexure P/3, it is clear that the doctor has opined that the injury which has been received by Soniya Kumari caused by hard and blunt substance. It is further submitted that the injuries and the allegation does not co-relate. It is contended that there is only one blow which shows the intention of the assault. Moreover, the petitioner is languishing in judicial custody since 31.10.2025.

5. Learned APP appearing for the State and the Informant have vehemently opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Jalalpur P.S. Case No. 250 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 Chief Judicial Magistrate, Saran at Chapra.

(Ashok Kumar Pandey, J)

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