

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.553 of 2026

Arising Out of PS. Case No.-532 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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Sant Kumar Prasad @ Sant Jaiswal @ Shant Kumar Prasad @ Shant jaiswal,
Son of Girja Prasad, Resident of Village - Bhawanipur, P.S. - Sangrampur,
Dist. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate.
For the State : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Muffasil P.S. Case No. 532 of 2025 dated
11.08.2025 registered for the offences punishable under
Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 117(2),
109, 303(2), 352, 351(2) and 3(5) of B.N.S.

3. As per allegation, co-accused along with 100-200
unknown persons came over the land of the informant and
started doing firing and yielding iron rod causing fracture on
the head of Chandan Kumar who is son of the informant.
Subsequently, when few persons came to rescue the victim
they were also assaulted. It is further case of the prosecution that



the informant came to know later on that amongst the accused persons, petitioner was one of unknown 100-200 persons.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that prosecution case against the petitioner is totally based on suspicion and previous enmity.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the nature of allegation, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned court below in connection with Muffasil P.S. Case No. 532 of 2025 subject to the conditions as laid down under Section 482



(2) of the B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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