

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.965 of 2026

Arising Out of PS. Case No.-241 Year-2025 Thana- KHANPURA District- Samastipur

Vijay Kumar @ Vijay Mahto, Son of Sonelal Mahto, Resident of Village-
Haripur Kheri, P.S.- Khanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Uday Chand Prasad,, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Khanpur P.S. Case No. 241 of 2025, registered for the alleged offences under Sections 126(2), 115(2), 352, 351(2), 109(1) and 3(5) of BNS, 2023.

3. As per prosecution case, the petitioner and other co-accused persons came to the land of the informant and at the instigation of co-accused, the petitioner assaulted the informant with iron rod on his head causing its fracture. The other co-accused persons further assaulted the informant with iron rod causing some injuries to him.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. Though there is allegation against the petitioner that he assaulted the informant on his head with iron rod, but the injury report does not show any abnormality on the head. The allegation of assault on the face of the informant is against co-accused Manish Kumar. The learned counsel further submits that there is land dispute between the parties and the father of the informant is defendant no.1 in Title Suit No. 205 of 2024 in which the present petitioner is plaintiff no.3. The petitioner is in custody since 17.11.2025 and is having clean antecedent. The charge sheet has been submitted.

5. Learned APP vehemently opposes the submission made on behalf the petitioner.

6. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the background of land dispute and further considering the absence of injury attributed to this petitioner and also considering the submission of charge sheet, period of custody of the petitioner and his clean antecedent, the petitioner is directed to be released on bail 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, Samastipur/court concerned, in connection with Khanpur P.S.



Case No. 241 of 2025, subject to the conditions mentioned in
Section 480 (3) of BNSS 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 petitioner will be liable to
be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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