

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.262 of 2026

Arising Out of PS. Case No.-424 Year-2025 Thana- CHAKIA District- East Champaran

Raushan Kumar, Gender-Male, aged about 22 years, Son of Baskit Chaurasiya @ Baskit Bhagat, Resident of village - Nagar Parishad, Chakia, Ward No. 22, Hindu Chakia, P.S.- Chakia, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate
Mr. Akshay Tripathi, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

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

2. The petitioner seeks bail in connection with Chakia P.S. Case No. 424 of 2025 instituted for the offences punishable under Sections 126(2), 115(2), 109, 352, 351(2), 303(2) and 3(5) of the BNS, 2023.

3. As per allegation in the FIR, all the accused persons including the present petitioner assaulted over the head of the son and daughter of the informant by means of iron rod with an intention to kill him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has



falsely been implicated in this case merely on the basis of village politics. He submits that the FIR was registered on 24.07.2025 and the same was sent to the Court on 28.07.2025 after a delay of more than four days without any plausible explanation. He further submits that the petitioner's side and the informant's side are co-villagers and there was petty dispute between the parties. He next submits that three persons were injured and from perusal of the injury report, it appears that the injury sustained by all the injured are found to be simple in nature. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 23.10.2025.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. From perusal of the FIR, injury report and impugned order of the learned District and Additional Sessions Judge-5, East Champaran, Motihari dated 06.12.2025, it appears that petitioner is named in the FIR. From perusal of the records, it appears that on the basis of written report of the informant namely Dilip Sharma, FIR has been registered under Sections 126(2), 115(2), 109, 352, 351(2), 303(2) and 3(5) of the BNS, 2023 against eight co-accused persons including the present petitioner and the allegation against the petitioner is that he



assaulted the son and daughter of the informant with an intention to kill them. From perusal of the injury report of the injured, which is produced by the learned counsel for the petitioner, it also appears that the allegation against the petitioner with two other co-accused that they assaulted by iron rod on the head of the son and daughter of the informant Karan Sharma, Raushni Kumari and Nikhil Kumar. From perusal of the injury report, it appears that there are multiple injuries found on the body of the informant's son and daughter i.e., lacerated wound skin deep over the left and right parietal region and no repeated blow has been found on the vital part of the body of the injured and the other injury which has been found on the body of the injured is non-vital part, petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 23.10.2025, so considering all these aspects of the case and submission of learned counsel for the petitioner, I am inclined to grant bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned Judicial Magistrate-1st, Class, East Champaran, Motihari in



connection with Chakia P.S. Case No. 424 of 2025.

(Ramesh Chand Malviya, J)

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