

IN THE COURT OF PRINCIPAL SESSIONS JUDGE
DISTRICT-GOPALGANJ

Regular Bail Petition No. 316 of 2026

*(Arising out of Mirganj P.S. Case No. 71 of 2026, registered U/S 126(2), 115(2), 109, 352
and 351(2)/3(5) of the B.N.S.)*

In the matter of :-

Name of the petitioner	: Rahul soni.
F.I.R. U/S	: 126(2), 115(2), 109, 352 and 351(2)/3(5) of the B.N.S.
Charge-Sheet U/S	: not submitted.
Counsel for the Petitioner	: Shri Ajay Kumar Srivastava, ld. Adv.
Counsel for the State	: Shri Deo Vansh Giri, ld. P.P.

ORDER

04-06-2026

1. This Bail Application filed on behalf of above named accused-petitioner, who is in judicial custody since 10-02-2026, in connection with Mirganj P.S. Case No. 71 of 2026, registered U/S 126(2), 115(2), 109, 352 and 351(2)/3(5) of the B.N.S., is put up for hearing today.

2. As per the FIR, prosecution case in brief is that on the basis written application of the informant, Mirganj P.S. Case No. 71 of 2026 has been lodged against the petitioner and others. It is inter alia alleged in the F.I.R. that earlier, informant's son, who is handicapped with left arm, gave loan of Rs. 2000/- to the petitioner, who is the neighbour of the the informant. On 05-02-2026 at about 06:00 pm, he went to the door of the petitioner to ask his money, petitioner began to refuse to return his money. When informant's son made protest, upon which, petitioner started assaulted him with fists and slaps and called his mother and brother and his mother namely Sushila Devi caught the informant's son and petitioner brought iron-rod and inflicted blow on his head and accused Raj Soni gave brick blow on his head and he sustained bleeding injury on his head and he also sustained fracture injury in his head and he fell down becoming unconscious.

3. It is submitted on behalf of accused/petitioner that he is innocent and has committed no offence and has been falsely implicated in this case. It is further submitted that petitioner has got no criminal antecedent. It is further submitted that informant and petitioner are next door neighbour. It is further submitted that no any injury is found on the vital part of the person of injured, hence no case U/S 109 B.N.S. is made out. It is lastly submitted that petitioner is in custody since 10-02-2026. On such strength, prayer for bail has been made by the petitioner.

4. Heard ld. Counsel appearing on behalf of the petitioner as well as ld. P.P. for the State. Ld. P.P. for the State has opposed the prayer

(2/2)

Regular Bail Petition No. 316 of 2026

(Contd./04-06-2026)

for bail of the petitioner.

5. Having heard both the parties and perused the case record along with case diary. From the perusal of the F.I.R as well as case diary, it transpires that petitioner is named in the F.I.R. against whom there is allegation he has allegedly inflicted iron-rod blow on the head of the informant's son and he sustained bleeding and fracture injury in his head and he fell down becoming unconscious. It further appears that both the parties are neighbour and due to dispute of loan amount, occurrence has taken place between the parties. Although, informant and witnesses at para-02, 08, 09 and 11 of the case diary have fully supported the case of the prosecution but witnesses have not alleged anything specific against the petitioner and they have stated that occurrence has taken place due to dispute of loan amount. Though, injured witnesses at para-47 of the case diary has supported the case of the prosecution but he has not alleged specific that who assaulted him and he has stated that owing to the dispute of loan amount, occurrence has taken place. From perusal of the injury report at para-42 of the case diary, it appears that frontal bone fracture with EDH as described, although injury is found to be grievous in nature but who has caused him grievous injury is not specific. From perusal of the para-53 of the case diary, it appears that after completion of investigation against the petitioner, Charge-Sheet No. 193/26 dated 30-03-2026 has been submitted. The petitioner appears to be in custody since 10-02-2026.

6. Considering the aforesaid facts and circumstances of this case and considering the period of custody of the petitioner and without going into the merit of the case, this court is inclined to grant bail to the petitioner and hence, the same is hereby allowed. Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of like amount each to the satisfaction of the Id. Court below **subject to conditions that one of the bailors shall be close relative of the petitioner and one shall be local with further condition that petitioner will file an undertaking that he will cooperate in the investigation or trial and he will not temper with the evidence.**

Let a copy of this order along with lower court record be sent to the Id. Lower court for information and needful.

(Dictated)

(Geeta Gupta)
Principal Sessions Judge, Gopalganj.