

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4922 of 2025

Arising Out of PS. Case No.-258 Year-2024 Thana- THALI District- Nawada

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1. Ayub Khan @ Md. Ayub Khan S/O Late Sadik Khan Resident of Village - Khakhandua, P.S- Thali, Dist- Nawada
 2. Nasim Khan S/O Late Sadik Khan Resident of Village - Khakhandua, P.S- Thali, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners seek bail in connection with Thali P.S. Case No. 258 of 2024 registered for the alleged offences under Sections 126, 115(2), 117(2), 109, 303(2), 352, 351(3) , 3(5) of B.N.S., 2023.

3. As per prosecution case, the petitioners assaulted the husband of the informant with iron rod and fractured his head. They also took away Rs.50,000/- from the husband of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this



case. The petitioners are brothers of the husband of the informant and there is land dispute between them. On the date of occurrence, a panchayati was held as the husband of the informant sold joint land of the petitioners, some altercation took place and at the spur of moment, they entered into scuffle and both sides received injury. For the same occurrence, Thali P.S. Case No. 259 of 2024 for the offences under Sections 126, 115(2), 117(2), 353, 351(3), 3(5) of B.N.S., 2023 was lodged against the informant side. The petitioners are in custody since 21.10.2024 and charge sheet has been submitted. The petitioners are having antecedent of three cases and they are on bail in all the cases.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case between the parties, submission of charge sheet and period of custody of the petitioners, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Nawada/concerned Court in connection with Thali



P.S. Case No. 258 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners 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 petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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