

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12095 of 2025

Arising Out of PS. Case No.-211 Year-2023 Thana- JHANJHARPUR District- Madhubani

Mohammad Islam @ Mohammad Islam Kujara S/o Abdul Kujra R/o Ward
No.-13, Jhanjharpur, P.S.- Jhanjharpur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Bharti, Advocate
	:	Ms. Akansha Verma, Advocate
For the State	:	Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 13-05-2025 Heard Ms. Akansha Verma, learned counsel for the
petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Jhanjharpur P.S. Case No. 211 of 2023 for the offence under Sections 341, 323, 354(A), 307, 504, 506, 379 and 34 of the Indian Penal Code, lodged on 13.11.2023 by the informant, Md. Fule Kujra.

3. As per the prosecution story, the informant alleged that after returning from the mosque, he was intercepted by the entire family members of the petitioner and after the abuse regarding his son, allegation is that this petitioner gave rod blow on the head as a result whereof, he became unconscious whereafter allegation is that other family members threw bricks



on his body. As his wife and son came to rescue, they were also assaulted and Md. Kalam outraged her modesty, they were taken to Sub-Divisional Hospital which followed the F.I.R.

4. Learned counsel for the petitioner submits that due to land dispute, all the family members have been implicated, the informant alleges that he became unconscious after the first blow but thereafter named everyone in the family. The injury has been found to be simple in nature and the last submission is that without accepting the allegation or outcome of the petition the petitioner intends to pay Rs.10,000/- by Demand Draft to the informant towards treatment issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer for bail submitting that he has criminal antecedent.

6. Taking into account the submission of the parties as also that there is land dispute between the parties, the F.I.R. is there, the allegation has been made against this petitioner, the injury has been found to be simple in nature, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.10,000/- by Demand Draft to the informant issued by the local branch of State Bank of India and the receipt has to be submitted before the Trial Court and after



checking credentials to be handed over to the informant.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Jhanjharpur, Madhubani in connection with Jhanjharpur P.S. Case No. 211 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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