

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16121 of 2025

Arising Out of PS. Case No.-308 Year-2024 Thana- PARBATTa District- Khagaria

1. Md. Amjad, S/o Md. Suleman,

2. Md. Ahsan, S/o Md. Amjad,

3. Md. Nasim, S/o Md. Jakir,

4. Md. Gulfam, S/o Shaukat

5. Md. Jakir, S/o Md. Suleman
- All are residents of Village- Dumar Kothi, Ward No. 7, P.S.- Parbatta,
District-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

205-03-2025

Heard learned counsel for the petitioners and
learned APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Parbatta P.S. Case No. 308 of 2024, registered for the alleged offence under Sections 191(2), 190, 126(2), 115(2), 109, 303(2), 352, 351(2), 351(3) of BNS, 2023.

3. As per prosecution case, the petitioners and other co-accused persons entered into the house of the informant and started assaulting the nephew of the informant. When the informant and her niece came for his rescue, they were assaulted



with iron rod and butt of the gun. Further injury was caused to the son of the informant. When Nasima Khatoon came to rescue, she was also assaulted with iron rod. They took away Rs. Three lakhs and gold chain worth of Rs.60,000/- from the house of the informant. The occurrence took place as the assailants had been pressurizing the informant to withdraw the case filed against them on 16.07.2024.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Altogether nine persons have been made accused in this case with general and omnibus allegation for assault on a number of persons. But only two victims have been examined and injury report of only informant and her niece are on record which show superficial injury which are simple in nature. There is case and counter case and Parbatta P.S. Case No. 310 of 2024 under Sections 191(2), 190, 126(2), 115(2), 118(1), 352, 351(2), 351(3) of B.N.S. has been registered against the informant and others. In the present case, except for offence under Sections 109 and 303(2) of B.N.S., all other offences are bailable in nature and there is no attempt on life of any one, offence under Section 109 B.N.S. is not made out. The petitioners are having antecedent of one case in which they are on bail.



5. Learned APP vehemently opposes the submission made on behalf of the petitioners. Learned APP submits that serious injuries have been caused to the informant and her family members and the petitioners always extend threats to the informant and her family members.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that only two persons are stated to be injured for whom the injury report is on record showing superficial type of injury and further considering the apparent lack of attempt on the life of any person, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Khagaria, in connection with Parbatta P.S. Case No. 308 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other 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, if so required by the learned trial court.

(Arun Kumar Jha, J)

V.K.Pandey/-

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