

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28634 of 2025

Arising Out of PS. Case No.-442 Year-2024 Thana- EKMA District- Saran

1. Rafik Ansari @ Rafik Miyan S/O Usman Miyan R/O Village- Khoji, PS- Ekma, District- Saran
2. Monajir Hussain S/O Nizamuddin Miyan R/O A- 531, Gali No. 7, Jaitpur, Extn Part-2, Jaitpur, South Delhi, Delhi- 110044

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Asgher Najmi, Adv.
Mr. Ashutosh Kumar Mishra, Adv.
Mr. Wajeiha Jafei, Adv.

For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 02-12-2025 Heard learned counsel for the petitioners as well as the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Ekma P.S. Case No. 442 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 109, 3(5) of the BNS.

3. The prosecution case in brief is that on 20.11.2024 at about 10:30 PM, the informant's son went to the government hand pump to fetch water, where the accused persons, due to an earlier dispute, along with unknown miscreants, allegedly fired at him and also assaulted him on the head with an *axe*.

4. The learned counsel for the petitioners has submitted that it is an admitted fact that the son of the informant was on talking terms with the daughter of petitioner no. 1, due



to which some dispute had arisen prior to the present occurrence. The petitioners have been made accused due to previous vendetta. He has further submitted that the son was a drug addict and that he suffered burn injuries by his own action. The petitioners are the persons of clean antecedents.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, especially the petitioners are the persons of clean antecedents, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Saran at Chapra in connection with Ekma P.S. Case No. 442 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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