

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31551 of 2025**

Arising Out of PS. Case No.-236 Year-2024 Thana- JOKIHAT District- Araria

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1. Md. Naimuddin @ Naimuddin @ Md. Naiemuddin S/o Sk. Khudabaksh @ Khoda Bakas Mahrum R/o Village- Mahdeva, P.S.- Jokihat, District- Araria
  2. Rauf Alam S/o Md. Abbas R/o Village- Mahdeva, P.S.- Jokihat, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| For the Petitioner/s     | : | Mr. N.K. Agrawal, Sr. Advocate |
|                          | : | Mr. Vijay Anand, Advocate      |
|                          | : | Mr. Kumar Rajdeep, Advocate    |
| For the Opposite Party/s | : | Mr. Ram Naresh Ray, APP        |

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

2      15-05-2025                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Jokihat PS. Case No.-236 of 2024, registered for the offences punishable under Sections 318(2), 338, 336(3), 340(2), 352, 351(2) and 61(2) of the B.N.S.

3. The prosecution case as emerging from the FIR is that a piece of land bearing Khata No. 18, Khesra No. 118/163 has been transferred by the petitioner no.1, namely, Md. Naimuddin in favour of the co-accused, namely, Babi Najo.

4. Learned senior counsel for the petitioners submits



that the Petitioners are innocent and have falsely been implicated in this case. Learned senior counsel for the petitioners submits that as a matter of fact there is typographical mistake regarding Khesra no. of the land which has been sold by the petitioner no.1 in favour of the co-accused. The correct Khesra No. is 118/164 but it has been inadvertently typed as Khesra No. 118/163 and petitioners are taking legal step to rectify this inadvertent mistake.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the



satisfaction of learned concerned Court Below, in connection with Jokihat PS. Case No.-236 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

**(Jitendra Kumar, J)**

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