

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29993 of 2025

Arising Out of PS. Case No.-44 Year-2024 Thana- PATEPUR District- Vaishali

Md. Ajmat S/o Md. Abdud R/o Village- Tejpurwa, P.S.- Patepur, District-
Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Pandey, Adv

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 20-06-2025 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 325, 307, 379,
354, 504, 506/34 of the Indian Penal Code.

3. The prosecution case as unfolded in the FIR is
that when the informant and his wife were sitting at the door,
two accused persons named in the FIR including the petitioner
came armed with sword and farsa and committed marpit and
inflicted a sword blow on the informant's head causing head
injury and also his teeth got broken and some other injuries
were also caused. It is further alleged that when the informant's
wife came to save him, she was also assaulted with sword
causing head injury and also assaulted with leg and fists.



5. Learned senior counsel for the petitioner submits that the present case is that of a free fight between the pattidars and it would appear from perusal of the FIR, that there is an allegation on both the accused persons of having assaulted the informant and his wife. However subsequently, during the course of investigation, it has been stated that the informant was assaulted by the present petitioner and his wife was assaulted by co-accused Md Abdul. The co-accused Md. Abdul was granted bail by the learned court below as would be evident from the bail rejection order. The injury report of the informant Md. Daud shows that he has received grievous injury but the learned counsel for the petitioner points out paragraph-13 and 35 of the case diary which would go to show that the independent witnesses have stated that there was altercation going on between the pattidars in which both the sides got injured and rather the injury suffered by the petitioner was more serious owing to which they were all taken to hospital for treatment. The photographs of the injured petitioner has also been brought on record by way of Annexure-3. Further, the petitioner is in custody since 20.03.2025 and the charge sheet has been submitted.

7. Taking into consideration the above mentioned



facts and circumstances and also considering that it was a case of free fight between the patidars in which both the sides received injuries and charge sheet has already been submitted, let the above named petitioner, be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand)with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in Patepur P.S.Case No. 44 of 2024.

(Soni Shrivastava, J)

N.K/-

U		T	
---	--	---	--

