

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31890 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- MANPUR District- West Champaran

1. Ali Ahmad, S/o Late Amurlah Miya @ Amrullah Miyan
 2. Gulrej @ Gulrej Miyan, S/o Ali Ahmad
 3. Yasin @ Yasin Ansari, S/o Ali Ahmad
 4. Sajjad @ Sajjad Alam @ Majaj Alam @ Majal Alam @ Sahjad Alam @ Sajad, S/o Safi Ahmad
- All are residents of Village- Bhogadi Tola, PS- Manpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Narain Sinha, Advocate
For the State	:	Mr. Manoj Kumar, APP
For the Informant	:	Mr. Mahtab Alam, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

2. In the present case, the petitioners are apprehending their arrest in connection with Manpur P.S. Case No. 01 of 2025 for the offences under Sections 191(2), 191 (3), 190, 126 (2), 115 (2), 118 (1), 117 (2), 109, 76, 352, 351 (2), 351 (3) of BNS, 2023.

3. As per prosecution case, the petitioners and other co-accused persons, in the background of dispute over right to use the land, assaulted the informant and his family members with *lathi*, *danda*, iron rod, spear and sword. The victims received a number



of injuries.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. No occurrence took place in the manner as alleged. The informant in collusion with the police in order to make a defence has lodged this false case as for the same occurrence, Manpur P.S. Case No. 02 of 2025 has been registered against the informant's side as the informant's side brutally assaulted the petitioners and their family members causing severe injuries to them. The learned counsel further submits that in the said case, *fardbeyan* of the informant Ajiju Rahman has been recorded in hospital on 02.01.2025 and the same was sent to the court of learned ACJM on 07.01.2025. On the other hand, on the written report of the informant of the present case, the FIR has been lodged on 01.01.2025, but the same was sent to the court of learned ACJM only on 07.01.2025. This shows after lodging of the case by the petitioners' side, in order to prepare a defence against the said case, the present case has been lodged after much delay, but the police in collusion with the informant has not sent the case of the petitioners to the court within time and concocted a case against them. The learned counsel further submits that the allegations are general and omnibus and there is no specific allegation against any of the accused persons. The



injuries stated to be caused to the victims are all simple in nature. It is a case of free fight in which both sides received injuries. The learned counsel further submits that whole family members and relatives of the informant of Manpur P.S. Case No.02/2025 have been made accused in this case. The petitioner nos. 1 & 2 are having antecedent of two cases, whereas the petitioner no. 4 is having antecedent of one case and the petitioner no. 3 is having clean antecedent.

5. Learned APP as well as learned counsel for the informant oppose the submission made on behalf of the petitioners. Learned counsel for the informant submits that one Saheb Mian has received grievous injury in the assault. The learned counsel further submits that a number of persons have received different types of injuries.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case of the parties and further considering the simple nature of injuries of all the victims except one and also considering no repetition of blow on any vital party of the body, 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.5,000/- (Rupees Five Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Bettiah, West Champaran, in connection with Manpur P.S. Case No. 01 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, 2023 and further condition that 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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