

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36460 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- MANPUR District- West Champaran

1. Rajjak Mian S/O Late Md. Shahid Mian R/O Vill.- Surajpur Tola, Rampur, P.S.- Bhangaha, Dist.-WEST Champaran
2. Salma Khatoon @ Sala Khatoon W/O Rajjak Mian R/O Vill.- Surajpur Tola, Rampur, P.S.- Bhangaha, Dist.-WEST Champaran
3. Zubaida Khatoon @ Jayada Khatoon @ Jamada Khatun D/O Rajjak Mian R/O Vill.- Surajpur Tola, Rampur, P.S.- Bhangaha, Dist.-WEST Champaran
4. Mainuddin Mian S/O Rajjak Mian R/O Vill.- Surajpur Tola, Rampur, P.S.- Bhangaha, Dist.-WEST Champaran
5. Jajul Mian S/O Rajjak Mian R/O Vill.- Surajpur Tola, Rampur, P.S.- Bhangaha, Dist.-WEST Champaran
6. Mister Mian S/O Rajjak Mian R/O Vill.- Surajpur Tola, Rampur, P.S.- Bhangaha, Dist.-WEST Champaran
7. Musa Mian S/O Rajjak Mian R/O Vill.- Surajpur Tola, Rampur, P.S.- Bhangaha, Dist.-WEST Champaran
8. Saheb Mian S/O Rajjak Mian R/O Vill.- Surajpur Tola, Rampur, P.S.- Bhangaha, Dist.-WEST Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mahtab Alam, Advocate
For the Opposite Party/s	:	Mr. Pawan Kumar Chaurasia, APP
For the Informant	:	Ms. Khushi Awadh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-08-2025 Heard Mr. Mahtab Alam, learned counsel for the petitioners, Ms. Khushi Awadh, learned counsel appearing on behalf of the informant as well as Mr. Pawan Kumar Chaurasia, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Manpur P.S. Case No. 02 of 2025, F.I.R. dated



05.01.2025 for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 117(2), 109, 303(2), 352, 351(2) and 351(3) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, due to some previous dispute these petitioners along with the other accused persons brutally assaulted the informant and his family members and also stole Rs. 5,000/- from his pocket.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. There is case and counter case between the parties. The present case is the counter blast of Manpur P.S. Case No. 01 of 2025 filed on behalf of the petitioners against the informant and his family members. From perusal of the F.I.R it appears that although there is specific allegation against some of the petitioners that they have assaulted to the informant and his family members but both the sides have received injury in the present occurrence. He further submits that the informant and his family members have received injury but injury report of the other family members of the informant suggest that the injuries are simple in nature and the as per the injury report of the informant it appears that one injury is simple in nature and two injuries are grievous in nature



and the same is on the hand of the informant and the doctor has opined the grievous injury as fracture but the same is not on the vital part of the body.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioners and submits that the petitioners are named in the F.I.R and apart from that with the common intention they have assaulted to the informant and his family members.

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent, there is case and counter case between the parties, grievous injury is not on the vital part of the body and rest of the injuries are simple in nature, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Additional Chief Judicial Magistrate-I, West Champaran at Bettiah, West Champaran in connection with Manpur P.S. Case No. 02 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure /



Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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