

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41121 of 2025**

Arising Out of PS. Case No.-14 Year-2025 Thana- PIYAR District- Muzaffarpur

1. Md. Zalil @ Md. Jalell Son of Md. Mustakeem @ Md. Mustakim Miyan R/o Village - Pirapur, P.S.- Piar, District - Muzaffarpur.
2. Md. Mustakim Miyan @ Md. Mustakeem @ Md. Mustakim @ Mohammad Mostakim Son of Late Md. Jahuri R/o Village - Pirapur, P.S.- Piar, District - Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Jai Prakash Verma, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

4      01-09-2025                      Petition for pre-arrest bail of petitioner no.2 has already been dismissed as withdrawn vide order dated 3.8.2025.

2. Heard learned counsel for the petitioner no.1 and the State.

3. Petitioners apprehend arrest in a case registered for the offence punishable under sections 115(2), 126(2), 109, 303(2), 76 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

4. As per the prosecution case, allegation against petitioner no.1 is of abusing the informant and committing assault on him with lathi, danda, iron rod, fists and slaps. When family members of informant came to save him, accused persons assaulted them and tore clothes of his wife and snatched her gold chain.

5. It is submitted on behalf of petitioner no.1 that allegation of assault is general and omnibus and no specific overt act has been alleged against him. Injuries are simple. Parties are neighbouers and no motive has been assigned behind the alleged offence. Wife of petitioner no.2 has filed Complaint



Case No. 794/2025 against the informant and others for the alleged offence.

6. Learned counsel for the State opposes the prayer for bail.

7. Considering the aforesaid facts of the case, prayer for bail of petitioner no.1 is allowed. In the event of arrest/surrender within eight weeks from today, let petitioner no.1, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate X, East Muzaffarpur in Piar Police Station Case No. 14 of 2025, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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