

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38869 of 2025

Arising Out of PS. Case No.-385 Year-2024 Thana- DAGARUA District- Purnia

1. MD Azim S/o Late Jainul Haque R/o Village- Parsarai Tola, Asaja, P.S.-
Dagaruwa, District- Purnia
2. Md. Najim S/o Late Jainul Haque R/o Village- Par Sarai Tola, Asaja, P.S.-
Dagaruwa, District- Purnia
3. Md. Naim S/o Late Jainul Haque R/o Village- Par Sarai Tola, Asaja, P.S.-
Dagaruwa, District- Purnia
4. Md. Moin S/o Late Jainul Hque R/o Village- Par Sarai Tola, Asaja, P.S.-
Dagaruwa, District- Purnia
5. Abdul Matin @ Md. Matin S/o Late Muslim R/o Village- Par Sarai Tola,
Asaja, P.S.- Dagaruwa, District- Purnia
6. Md. Muntazir S/o Late Aainul Haque R/o Village- Par Sarai Tola, Asaja,
P.S.- Dagaruwa, District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Singh, Advocate
For the State : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail, apprehending their arrest,
in connection with Dagaruwa P.S. Case No. 385 of 2024, dated
15.12.2024, registered for the offences punishable under
Sections 126(2), 115(2), 109, 303(2), 352, 351(2) and 3(5) of
the B.N.S., 2023.

3. As per allegation, on account of land dispute,



occurrence took place causing injury on both sides, leading to lodging of case and counter case.

4. Learned counsel for the Petitioner submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that informant and petitioners are next door neighbours and on account of land dispute, altercation took place, causing injury on both sides. He further submits that the counter case lodged by the petitioners' side is Dagaruwa P.S. Case No. 387 of 2024 dated 17.12.2024, registered for the offence punishable under Sections 126(2), 115(2), 117(2), 303(2), 352, 351(2) and 3(5) of BNS, 2023.

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 bail petition that the petitioners have no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, particularly the case and counter case, **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 Dagaruwa P.S. Case No. 385 of 2024, subject to the conditions as laid down under Section 482 (2) 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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