

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35871 of 2025

Arising Out of PS. Case No.-233 Year-2024 Thana- BAHERI District- Darbhanga

1. Saddam @ Mohammad Saddam Hussain son of Shakil Ahmad Shah
Resident of Village- Jorja Tole Parharpur PS- Baheri, Dist- Darbhanga
2. Mehraj @ Mohammad Meraj Ali son of Shakil Ahmad Shah Resident of
Village- Jorja Tole Parharpur PS- Baheri, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md Harun Quareshi, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-07-2025 Heard Md. Harun Quareshi, learned counsel for

the petitioners and Mr. Sanjay Kumar Sharma, learned

Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Baheri P.S. Case No. 233 of 2024, F.I.R. dated
08.07.2024 for the offences punishable under Sections 341, 323,
324, 308, 384, 379, 504 and 506/34 of the Indian Penal Code.

3. According to prosecution case, all the accused
persons including these petitioners have demanded ransom of
Rs. 1 lakh and on refusal by the informant, they have assaulted
him and his family members due to which they received
injuries.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case due to admitted land dispute between the parties. There is case and counter case between the parties and although there is specific allegation against the petitioners that they along with other accused persons have assaulted to the informant and his family members due to which they have received injuries but the injury report of the injured persons suggest that the injuries are simple in nature. He further submits that the co-accused, namely, Shakil Ahmad @ Shakil Ahmad Shah has been granted anticipatory bail by this Court vide order dated 07.05.2025 passed in Cr. Misc. No. 25175 of 2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent, there is case and counter case between the parties, injuries inflicted upon the injured persons are simple in nature and co-accused has been granted anticipatory bail by this Court, 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 VII, Darbhanga in connection with Baheri P.S. Case No. 233 of 2024, 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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