

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49462 of 2025

Arising Out of PS. Case No.-590 Year-2023 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Md. Jilani @ Md. Zilani S/o Md. Niyaz @ Md. Niyaz Ali R/o Village-
Sitanabad, Ward No. 2, Sitanabad South, P.S.- Simri Bakhtiyarpur, District-
Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 31-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Simri
Bakhtiyarpur P.S. Case No. 590 of 2023 instituted for the
offence under Sections 448, 341, 323, 325, 307, 379, 504 & 34
of the Indian Penal Code. Earlier vide order dated 21-02-2025,
passed in Cr. Misc. no. 6927 of 2025, anticipatory bail of the
petitioner was rejected by a Co-ordinate Bench of this Court.

3. The informant alleged that on 09.10.2023 at around
10 PM, the petitioner along with co-accused forcefully entered
her house armed with weapons and assaulted her and her family
members, causing serious injuries. Her son Md. Saifan was



critically injured and referred to Patna for treatment. A gold chain worth Rs. 50,000/- was also allegedly looted during the incident.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 18-03-2025. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case due to grudge and malice. Learned counsel for the petitioner submits that petitioner is co-villager and next door neighbour of the informant. There is land dispute between them. As per injury report of the injured, doctor has found injury being grievous in nature. Police after completion of investigation has submitted charge-sheet in this case. Other co-accused have been granted bail by a Co-ordinate Bench of this Court vide order dated 23-10-2024, passed in Cr. Misc. No. 75124 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge-sheet being submitted, this Court is inclined to grant bail to the



petitioner.

8. Let the petitioner be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Simri Bakhtiyarpur P.S. Case No. 590 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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