

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40736 of 2025

Arising Out of PS. Case No.-143 Year-2024 Thana- MANIGACHI District- Darbhanga

1. Md Ujale S/o Mehdi Jan @ Mehdi Hassan @ Mehendi Hassan Resident of Village- Narayanpur, P.S-Manigachhi, District-Darbhang
2. Md. Nirale S/o Mehdi Jan @ Mehdi Hassan @ Mehendi Hassan Resident of Village- Narayanpur, P.S-Manigachhi, District-Darbhang

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

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

2. The petitioners seek bail in connection with Manigachhi P.S. Case No. 143 of 2024, instituted for the offences punishable under Sections 126(2), 115(2), 117(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and later on Section 109 of the Bharatiya Nyaya Sanhita, 2023 was added.

3. The prosecution case, in short, is that, the petitioners along with other co-accused persons apprehended informant's brother and assaulted him by means of *lathi*, rod, *fat*, *mukka* with an intention to kill him due to which he sustained injuries.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material have been recovered from the conscious possession of the petitioners. Learned counsel for the petitioner also submits that there is inordinate delay in lodging the FIR. The allegations levelled against the petitioners are general and omnibus in nature. It is further submitted that the informant is not an eye witness to the said occurrence because informant's brother had met with an accident and at that time the informant was out of station. When the informant returned back to his house, then he took advantage of his brother's accident and falsely implicated the petitioners. The petitioners are in custody since 21.04.2025 and have got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with



two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Manigachhi P.S. Case No. 143 of 2024, subject to the following conditions:

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

(II) The petitioners 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 petitioners.

(Rudra Prakash Mishra, J)

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