

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39629 of 2025

Arising Out of PS. Case No.-146 Year-2024 Thana- SARAIYA District- Muzaffarpur

Md. Ehsaan @ Ehsaan Ali @ Md. Ehshaan Ali @ Ehshaan Ali S/O Mahboob
Aalam @ Mahbub Alam R/O Vill.- Basantpur patti, P.s.- Saraiya, Dist.-
Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 13-08-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Saraiya
P.S. Case No. 146 of 2024, registered for the offence punishable
under Sections 447, 341, 323, 324, 307, 379, 354B, 427, 504,
506/34 of the Indian Penal Code.

3. That the petitioner submits that he has no criminal
antecedent.

4. The case of the prosecution is that on 16.03.2024
at about 10 A.M. when the informant had engaged a labour to
clean his field then the petitioner along with 9 named accused
and 8-10 unknown accused persons came to the land of the
informant and they were armed with lathi, danda, sword. It has



been further alleged that the accused persons with the intention to kill gave blows of sword on the head of the labour of the informant due to which the labour of the informant received injuries at four places. It is further alleged that when the informant and his wife tried to save the labour, then the informant was also assaulted by the accused persons. It is also alleged that the accused person also abused the wife of the informant and tore her cloths and snatched her Mangalsutra. It is also alleged that Mahboom Alam and his sons also abused in filthy language and when nearby persons came then all the accused persons fled away.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that from the bare perusal of the F.I.R., it shall transpire that there is no specific allegation against the petitioner and that he has been named in the F.I.R. simply because he was part of unlawful assembly. He further submits that the injury report also reveals simple injury. It is further submitted that petitioner is in custody since 13.05.2025 and charge-sheet has been filed against the petitioner thereby completing the investigation.

6. Learned A.P.P. appearing for the State as well as



learned counsel for the informant both oppose the prayer for grant of regular bail.

7. From a reading of the F.I.R. itself, it is apparent that no specific allegation has been levelled against the petitioner and there is general and omnibus allegation against the 9 accused persons. The petitioner has clean antecedent and is in custody since 13.05.2025.

8. Considering all these aspect of the matter, I am inclined to grant bail to the petitioner.

9. Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Saraiya P.S. Case No. 146 of 2024, subject to the following conditions :-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates without substantial reason or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.



(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail-bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. Accordingly, the prayer for bail is allowed.

(Alok Kumar Sinha, J)

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