

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44103 of 2025

Arising Out of PS. Case No.-75 Year-2025 Thana- MAINATAND District- West Champaran

1. Sheikh Zakir So of Late Sheikh Isha Resident of village- Purainiya, P.S.- Mainatand District- West Champaran
2. Md. Hasantaz Son of Late Sheikh Sanullah Resident of village- Purainiya, P.S.-Mainatand District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharad Kumar Verma, Adv. Mr. Hemant Ray, Adv. Mr. Umesh Chandra Verma, Adv.
For the Opposite Party/s	:	Mr. Nirmal Kumar Sinha, APP
For the Informant/s	:	Mr. Sachida Nand Rai, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 28-07-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Mainatand P.S. Case No. 75 of 2025 dated 04.04.2025 registered for the offences punishable under Sections 115(2), 117(2), 118, 126(2), 74, 109(1), 352, 351(1) read with Section 3(5) of the B.N.S.

3. As per the prosecution case, the petitioners and the co-accused persons armed with weapons came and started abusing and assaulting the informant's husband, thereafter, the petitioner no.1(Sheikh Zakir) assaulted the informant's husband



with gadasa on his head with intention to kill due to which he got injured and blood started oozing out, the co-accused, Tuyazuddin Sheikh inflicted bhala on the informant's husband causing injury in his hand and the co-accused Md. Hasantaz (petitioner no.2) assaulted on his leg and hand with lathi, when the daughter of the informant came to rescue she was also assaulted by the co-accused Teyazuddin with bhala on her left leg.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is no specific allegation against the petitioners rather the allegation against the petitioners are general and omnibus in nature. As per the injury report, the injury nos. 1 and 2 of the injured are stated to be grievous in nature in which the injury no.1 is danger to life and the injury nos. 3 and 4 are simple in nature. The petitioners have no concern with the alleged occurrence. The petitioner no.1 has three criminal antecedents and the petitioner no.2 has no criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody in this case since 05.04.2025.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the



petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, West Champaran in connection with Mainatand P.S. Case No. 75 of 2025, with a condition:-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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