

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42620 of 2025**

Arising Out of PS. Case No.-90 Year-2025 Thana- DARBHANGA SADAR
District- Darbhanga

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Abdul Ajij @ Md. Ajij Son of Md. Alenavi Resident of Village - Dih Berai,
P.S.- Sadar, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sadanand Roy, Adv.
For the Opposite Party/s : Mr. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 07-11-2025 Heard learned Advocate for the petitioner and

learned APP for the State.

2. The petitioner apprehends his arrest in connection with Sadar P.S. Case No. 90 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 109, 352, 118(1) and 3(5) of Bhartiya Nayay Sanhita, 2023.

3. While the informant was strolling, in the meantime, the petitioner and two other co-accused persons reached there and started abusing him and on protest being made, the petitioner assaulted the informant by means of Katta over his head due to which he sustained serious injury.

4. Learned Advocate for the petitioner submitted that there is a counter version of the present case being



Darbhanga Sadar P.S. Case No. 96 of 2025 instituted on the same day; the copy of which is also marked as Annexure-2 to the bail application. The parties are none-else but the step brothers and only on account of a free fight, some unfortunate injuries have been sustained. Moreover, there is a dispute on account of ancestral property for which a partition suit bearing Partition Suit No. 148 of 2022 is also pending before the learned Sub-Judge, Darbhanga. The injury which is allegedly sustained to the informant is concerned, the same is found to be simple in nature.

5. On the other hand, learned Advocate for the State, vehemently, opposed the bail application.

6. Regard being had to the submissions set forth by the learned Advocate for the respective parties and considering the factum of case and counter case coupled with the pendency of the partition suit as also the simple nature of the injury, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,



Darbhanga in connection with Darbhanga Sadar P.S. Case
No. 90 of 2025, subject to the condition as laid down under
Section 482(2) of the BNSS.

(Harish Kumar, J)

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