

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45184 of 2025

Arising Out of PS. Case No.-76 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

Tazoddin Ali @ Tazodin S/O Nabihashan R/O Vill.- Shirishia Bazar, P.s.-
Kuchaikot, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Tiwari, Advocate Mr. Rajnish Shandilya, Advocate
For the Opposite Party/s	:	Mr. Raj Ballabh Singh, APP
For the Informant	:	Mr. Thakur Brajesh Singh, Advocate Mr. Mohammad Sufyan, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 16-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Kuchaikot P.S. Case No. 76 of 2025 registered for the alleged offences under Sections 126(2), 115(2), 118(1), 109(1), 74 and 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioner and other co-accused persons entered into the house of the informant and tried to commit rape with her. On opposition by the informant, she was assaulted by the petitioner and others and the allegation against the petitioner is that he gave a knife blow below the left eye of the informant and bleeding started.



04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner and the informant side are agnates and there is land dispute between them. A proceeding under Section 144 Cr.P.C. vide Misc. Case No. 3196 of 2020 has also taken place between both sides. The informant has also lodged Kuchaikot P.S. Case No. 384 of 2020 against the present petitioner and his family members in order to harass them. Learned counsel further submits that earlier Kuchaikot P.S. Case No. 510 of 2024 was lodged by the brother of the petitioner against the informant and three others for making an attempt on the life of the brother of the petitioner and one Aslam. Learned counsel further submits that the allegation against the petitioner is that he gave knife blow to the informant but the injury report does not show any knife injury as the injury found on the face of the informant, which is on the left side of her nose, is lacerated wound of size 2" x 1/2" x 1/2" caused by hard and blunt substance. The injury was observed to be grievous due to fracture in nasal bone but the said injury is caused by hard and blunt substance and this falsifies the allegation against the petitioner. The petitioner is having antecedent of two case and he is on bail in both the cases. The petitioner is in custody since 27.02.2025 and charge-



sheet has been submitted.

05. Learned APP for the State as well as learned counsel for the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that the petitioner caused a grievous wound on the face of the informant and it runs ½” deep.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the absence of injury attributed to the petitioner and also considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Kuchaikot P.S. Case No. 76 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates



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.

(Arun Kumar Jha, J)

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