

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44736 of 2025

Arising Out of PS. Case No.-134 Year-2025 Thana- BABUBARHI District- Madhubani

1. Kamre Alam Sah @ Kamre Alam Shah S/o Md. Yunush Sah @ Inus Sah Resident of Village- Baruara , P.S.- Babubarhi, District- Madhubani
2. Minnat @ Md. Minnatullah S/o Soab Shah Resident of Village- Baruara , P.S.- Babubarhi, District- Madhubani
3. Nisarul Sah @ Nesharul Sah S/o Kari Sah Resident of Village- Baruara , P.S.- Babubarhi, District- Madhubani
4. Soyeb Sah S/o Late Rahim Sah Resident of Village- Baruara , P.S.- Babubarhi, District- Madhubani
5. Salamat Sah @ Md. Slam S/o Hasmat Shah Resident of Village- Baruara , P.S.- Babubarhi, District- Madhubani
6. Imtiyaj Shah S/o Jubair Sah Resident of Village- Baruara , P.S.- Babubarhi, District- Madhubani
7. Bittu Sah @ Md. Ishtiyak S/o Jubair Sah Resident of Village- Baruara , P.S.- Babubarhi, District- Madhubani
8. Umesh Sah S/o Kudus Sah Resident of Village- Baruara , P.S.- Babubarhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-07-2025 Heard Mr. Shailendra Kumar Jha, learned counsel

for the petitioners and Mr. Nitya Nand Tiwary, learned APP for

the State.

2. The petitioners are apprehending their arrest in

connection with Babubarhi P.S. Case No. 134 of 2025

corresponding to G.R. No. 776 of 2025, F.I.R. dated 08.04.2025



registered for the offences punishable under Sections 191(2), 329(4), 126(2), 115(2), 109, 76, 303(2), 352, 351(2) of the B.N.S.

3. Allegation against the petitioners is that they along with other co-accused persons entered into the house of the informant and started abusing and assaulting to the informant and his family members by means of iron rod, farsa and clubs due to which they sustained injuries.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and there is case and counter case between the parties. Although, some family members of the informant have received injuries but the injury report of the injured persons suggests that the injuries are simple in nature.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts that the petitioners having clean antecedents and there is case and counter case between the parties and the injuries inflicted upon the injured persons are simple in nature, let the petitioners, above named, in



the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Madhubani in connection with Babubarhi P.S. Case No. 134 of 2025 corresponding to G.R. No. 776 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their



criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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