

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45040 of 2025

Arising Out of PS. Case No.-506 Year-2022 Thana- SARAIYA District- Muzaffarpur

1. Md. Alam S/o Md. Rahim R/o Vill- Jujharpur, P.S.- Saraiya, Distt- Muzaffarpur
2. Md. Nasruddin S/o Md. Rahim R/o Vill- Jujharpur, P.S.- Saraiya, Distt- Muzaffarpur
3. Md. Ejaj S/o Md. Alam R/o Vill- Jujharpur, P.S.- Saraiya, Distt- Muzaffarpur
4. Md. Sajjad S/o Md. Alam R/o Vill- Jujharpur, P.S.- Saraiya, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-07-2025 Heard Mr. Priyesh Kumar, learned counsel for the petitioners and Mr. Bharat Lal, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Saraiya P.S. Case No. 506 of 2022, F.I.R. dated 13.07.2022 for the offences punishable under Sections 341, 323, 324, 307, 379, 447, 147, 148, 149, 504 and 506 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including these petitioners armed with weapons have assaulted the informant and his brothers due to some previous dispute which caused them several injuries.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been



implicated in the present case. The petitioners are named in the F.I.R and as per the allegation in the F.I.R, Md. Sajaad along with other accused persons have assaulted to Md. Azaad and Md. Istehaaq due to which they have received injuries but the injury report of the injured persons suggest that the injuries are simple in nature. Apart from that the informant is agnate of the petitioners and due to some previous dispute the present occurrence has taken place. He further submits that the occurrence took place on 09.07.2022 but the present F.I.R has been instituted on 13.07.2022 i.e., after delay of 3 days without giving any explanation of the said delay.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent and the injuries of the injured persons are simple in nature, let the petitioners, above named, in the event of 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/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Saraiya P.S. Case No. 506 of



2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. 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 bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 antecedent, 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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