

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51279 of 2025

Arising Out of PS. Case No.-781 Year-2024 Thana- MAJHAULIA District- West Champaran

1. Nasir @ Nasir Alam S/o Late Sheikh Musi R/o Vill- Gadhma, P.S.- Majhauiliya, Distt- West Champaran
2. Shamsad Alam S/o Sheikh Mohibul Hasan @ Shekh Mebul Hasan R/o Vill- Bhogadi, P.S.- Majhauiliya, Distt- West Champaran
3. Javed Alam @ Javed Akhtar S/o Sheikh Ansarul R/o Vill- Bhogadi, P.S.- Majhauiliya, Distt- West Champaran
4. Sheikh Kausar @ Kausar Alam S/o Sheikh Murtuja @ Miyan @ Sheikh Mrituja R/o Vill- Bhogadi, P.S.- Majhauiliya, Distt- West Champaran
5. Afsar Alam S/o Sheikh Murtuja @ Miyan @ Sheikh Mrituja R/o Vill- Bhogadi, P.S.- Majhauiliya, Distt- West Champaran
6. Motiur Rahman @ Motiu Rahman @ Moti Ur Rahman S/o Sheikh Hasmuddin R/o Vill- Bhogadi, P.S.- Majhauiliya, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate.
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-08-2025 Heard Mr. Bimlesh Kumar Pandey, learned counsel appearing on behalf of the petitioners and Mr. Md. Ataur Rahman, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Majhauiliya P.S. Case No. 781 of 2024 registered for the offence punishable under Sections 126(2), 115(2), 117(2), 118(1), 109(1), 74, 303(2) and 3(5) of the BNS.

3. As per the allegation made in the F.I.R., accused persons including the petitioners assaulted the informant and her



family members and also outraged the modesty of the female members.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners have falsely been implicated in the case. There is case and counter case between the parties due to land dispute. Both the parties indulged into fierce fight, as a result of which, both the parties sustained injury. The petitioners in their self defence might have caused some injury to the informant's side which was in their self defence without any intention.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the nature of allegation made against the petitioners and there is case and counter case due to admitted land dispute and there is every likelihood that the petitioners in their self defence might have caused some injury to the informant's side without any intention, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Bettiah,



West Champaran in connection with Majhauriya P.S. Case No. 781 of 2024, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

7. The District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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