

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50052 of 2025

Arising Out of PS. Case No.-161 Year-2025 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Md. Javed S/o Md. Kismat Resident of Vill.- Ajhaur, Ward No. 02, P.S.-
Neema Chandpura, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 53359 of 2025

Arising Out of PS. Case No.-161 Year-2025 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Manoj Kumar @ Manoj Kr. Gupta son of Dukha Das Village- Ajhaur, P.S.-
Nimachandpura, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
(In CRIMINAL MISCELLANEOUS No. 50052 of 2025)
For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP
(In CRIMINAL MISCELLANEOUS No. 53359 of 2025)
For the Petitioner/s : Mr. Yogesh Kumar, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-08-2025 Heard the parties.

2. The petitioners are in custody in connection with
Begusarai Muffasil P.S. Case No. 161 of 2025 for the offence
punishable under Sections 109(1), 126(2), 115(2), 351(2), 352
and 3 (5) of the B.N.S. and Section 27 of Arms Act lodged on
13.05.2025 by the informant, Md. Jahid Hussain.



3. As per the prosecution story, the informant alleged that earlier his brother, Md. Javed (not the petitioner) was assaulted by Md. Ataullah and Md. Nasrullah beside Md. Amanullah, the three sons of Md. Akbar for which a case was lodged. Infuriated, they again came to their house and started abusing, as the villagers started assembling, allegation is that Md. Ataullah opened fire which did not hit. When the villagers tried to caught hold of them, they again resorted to firing. The villagers ultimately managed to apprehend Manoj Kumar and Md. Javed (petitioners herein) who were handed over to the Police. This led to the FIR.

4. Learned counsel for the petitioners submit that main allegation is against the three brothers namely, Md. Ataullah, Md. Nasrullah and Md. Amanullah, no role have been attributed to these petitioners, though he concede that Md. Javed (petitioner in Cr. Misc. No. 50052 of 2025) has no criminal antecedent while Manoj Kumar (petitioner in Cr. Misc. No. 53359 of 2025) has criminal antecedents and if granted bail, they shall be diligently appearing in trial.

5. Learned APP opposes the prayer for bail submitting that both of them were apprehended by the locals and handed over to the Police and they were with the accused persons.



6. Taking into account the submission of the parties as also that the allegation is mainly against the three brothers, named above, both these petitioners have remained in custody since 13.05.2025 and an undertaking has been given that they shall be diligently appearing in trial, in that background, this Court is inclined to extend them the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM, 1st, Begusarai/concerned Court in connection with Begusarai Muffasil P.S. Case No. 161 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for six months to mark their



attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

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