

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50072 of 2025

Arising Out of PS. Case No.-139 Year-2025 Thana- PURNEA SADAR District- Purnia

1. Mithun @ Shahnawaz Azam S/o Raisul Ajam R/o Mohalla- Moulvi Tola, Madhubani, P.S.- Madhubani, District- Purnea
2. Altamas Alam @ Altmas Aawesh S/o Uvesh Alam R/o Vill- Sidrauli Madhubani, P.S.- Madhubani, Distt- Purnea
3. Masuk Alam @ Alhak Aawesh S/o Uvesh Alam R/o Vill- Sidrauli Madhubani, P.S.- Madhubani, Distt- Purnea

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. N.K.Agrawal, Senior Advocate Mr. Bidhu Ranjan, Advocate
For the Opposite Party	:	Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 17-11-2025 Heard Mr. N.K.Agrawal, learned Senior Advocate for the petitioners and Mr. Satyendra Narayan Singh, learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Sadar P.S. Case No. 139 of 2025, registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 117(2), 109, 303(2) of the Bhartiya Nyaya Sanhita 2023.

3. Allegedly, on the fateful day, while the informant went to a market, in the meanwhile, ten persons came there on an ambulance and caught hold him. The persons who alighted from the vehicle brutally assaulted him and gave a gas cylinder



blow on his head as a result of which he sustained serious injuries. The accused persons also snatched the valuables, the entire incident is recorded in CCTV footage and later on the petitioners were also identified as persons engaged in the crime.

4. Learned Senior Advocate for the petitioners submitted that the alleged occurrence took place on 15.03.2025, but the present FIR came to be instituted on 17.03.2025. So far as the identification of the petitioners through the CCTV footage is concerned, it has not been alleged that as to what role has been ascribed to the petitioners. The injuries, which have been sustained over the head of the informant, has not been specifically attributed against any of the petitioners. The petitioners No. 1 and 3 have absolutely fair antecedents, whereas petitioner No. 2 is carrying four criminal antecedents over his head, however, in all the cases he is on bail. It is also submitted that no incriminating materials have been recovered from the whereabouts of the petitioners and now they undertake that they will fully cooperate in the proceeding of the court and will not indulge in intimidating the informant and the witnesses.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that very serious allegation has been levelled against the petitioners of



causing assault. However, the informant remained fortunate that he did not sustain fatal injuries.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioners were identified through CCTV footage, however, it has not been disclosed as to what specific role have been assigned to the petitioners, besides the delay in lodging of the FIR coupled with only one injury sustained over the head, which has not been specifically attributed to anyone, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea, in connection with Sadar P.S. Case No. 193 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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