

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52233 of 2025

Arising Out of PS. Case No.-182 Year-2025 Thana- LAHERIYASARAI District- Darbhanga

Md. Nasim @ Bare @ Nasim S/O Md. Abbash Resident of Village-
Khajasarai, Police Station- Leheriasarai, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Laheriasarai (L. Sarai) P.S. Case No. 182 of 2025, dated 15-03-
2025, registered for offences punishable under Sections
190,191(2), 191(3),115, 117, 109, 352, 351(2) and 125(b) of the
Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on
14-03-2025 at about 6:30 PM, the informant saw a crowd
gathered near the house of Munni Khatoon, who is in custody in
connection with a case under the Excise Act. It is alleged that
local residents complained to Munni Devi's family that, on the
eve of Holi, they were selling liquor and intoxicating medicines,
which was objectionable. This angered the accused persons



including the petitioner who, armed with *lathis*, *dandas*, and daggers, allegedly assaulted the informant and others. They also pelted bricks, injuring the informant and others. It is further alleged that accused Jasim and Sitare assaulted the informant on his head, causing head injuries. The FIR also claims that after Munni Khatoon went to jail, her family members continued selling liquor and intoxicating drugs openly. During the occurrence, villagers called the police on 112 number. Police arrived, and during search of Munni Khatoon's house, they allegedly recovered several intoxicating medicines. The house is stated to be situated on land stands in the name of Md. Ibrahim.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. The F.I.R. has been lodged against 14 accused persons, including the petitioner. There is no specific allegation against the petitioner, except that he is alleged to be a member of the unlawful assembly. It is further submitted that specific allegations have been made against co-accused Jasim and Sitare, who allegedly assaulted the informant on his head, causing head injury. It is submitted that the petitioner has six criminal cases pending against him and has been in custody since 24-03-2025.

5. Learned A.P.P. has opposed the prayer for bail.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Darbhanga, in connection with Laheriasarai (L. Sarai) P.S. Case No. 182 of 2025 subject to the condition that (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail and (v) that the petitioner will appear before the SHO of concerned PS in the first week of each month till the framing of charge in this case.



7. The application stands allowed.

(Khatim Reza, J)

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