

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52938 of 2025

Arising Out of PS. Case No.-178 Year-2025 Thana- FORBESGANJ District- Araria

Rashid Son of Rahmutullah R/O Vill- Rampur Dakshin, P.S.- Forbesganj,
District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Advocate
For the State	:	Mr. Satyendra Narayan Singh, APP
For the Informant	:	Mr. Mukesh Kumar Rana, Advocate
		Mr. Sanjay Kumar Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 09-09-2025 Heard learned counsel for the petitioner and learned APP
for the State as also learned counsel for the Informant.

2. The petitioner seeks bail in connection with Forbesganj
P.S. Case No. 178 of 2025 instituted for the offences under
Sections 126(2), 115(2), 118(2), 109, 352, 351(3), 3(5) of the
Bharatiya Nyaya Sanhita, 2023 and further, Section 103 of the
BNS was added.

3. Prosecution case, in short, is that all the accused
persons including the petitioner assaulted the son of the
informant due to which he sustained injuries, and later on, died.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Learned counsel for the petitioner submits that general and omnibus allegation has been made against the petitioner. The petitioner was only the member of the unlawful assembly and nothing else. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The specific allegation of assault is against co-accused Md. Rizwan. It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.04.2025 having no criminal antecedent. Other co-accused has been granted bail by this Court vide order dated 20-08-2025, passed in Cr. Misc. No. 55853 of 2025.

5. Learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no criminal antecedent as also the petitioner having no direct allegation, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Forbesganj P.S. Case



No. 178 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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