

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59202 of 2025

Arising Out of PS. Case No.-35 Year-2024 Thana- Bargaon District- Darbhanga

-
1. Md. Aftab @ Altaf @ Md. Altaf Alam S/O Md. Safruddin Resident of Village- Bargaon, Police Station- Bargaon, District- Darbhanga.
 2. Md. Salimuddin S/O Md. Salauddin Resident of Village- Bargaon, Police Station- Bargaon, District- Darbhanga.
 3. Md. Nezamuddin @ Md. Nijamuddin S/O Md. Suleman Resident of Village- Bargaon, Police Station- Bargaon, District- Darbhanga.
 4. Shahbaz S/O Md. Safruddin @ Safaruddin @ Sarfuddin Resident of Village- Bargaon, Police Station- Bargaon, District- Darbhanga.
 5. Md. Matin Nadaf @ Abdul Motim @ Md. Matin @ Abdul Matin S/O Md. Yusuf Resident of Village- Bargaon, Police Station- Bargaon, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 02-09-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Bargaon P.S. Case No. 35 of 2024 instituted for the offences under Sections 191(2), 126(2), 115(2), 118, 109, 125(1), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Earlier, vide order dated 13.05.2025 passed in Cr. Misc. No. 11943 of 2025 by a coordinate Bench of this Court, the prayer of the petitioners for grant of anticipatory bail was



rejected.

4. Prosecution case, in short, is that on the alleged date and time, the accused persons jointly assaulted the informant's son Md. Asfaque near the house of Md. Reyaz, during which accused Ruhullah inflicted a sword blow on his abdomen causing his intestine to come out, and other accused assaulted him and his companions with lathi, knife and firearms, resulting in injuries.

5. Learned counsel for the petitioners submitted that petitioners have falsely been implicated in the present case. Learned counsel further submitted that the matter relates to attempt to murder and in the FIR, altogether 13 persons including the petitioners have been named. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against these petitioners. No specific overt act is alleged against these petitioners. Learned counsel further submitted that the specific allegation of inflicting sword blow on the informant's son is against Md. Rahulla and so far as these petitioners are concerned, they were merely the member of mob. It has been submitted on behalf of the petitioners that the petitioners are in custody since 07.05.2025. Petitioner no. 1, 4 and 5 have no criminal antecedent whereas petitioner no. 2 and



3 have one criminal antecedent. The co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 18.08.2025 passed in Cr. Misc. No. 55138 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bargaon P.S. Case No. 35 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

