

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57276 of 2025

Arising Out of PS. Case No.-99 Year-2025 Thana- MIRGANJ District- Purnia

Md. Zubair Alam @ Md. Juber @ Bijal S/o Md. Najam Resident of Mirganj,
ward no 7, PS- Mirganj, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-08-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Mirganj P.S. Case No. 99 of 2025, registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 109, 303(2), 352 and 351(2) of the BNS, 2023.

3. On the fateful day while the children of the informant were gone to cut the grass, in the meanwhile, all the FIR named accused persons armed with *lathi*, sword, *farsa* and iron rod came there and started assaulting the husband of the informant. In order to rescue, when the informant and Patiya Khatoon and Md. Mukhtar went there, the petitioner brutally assaulted Patiya Khatoon by means of iron rod over her hands due to which she sustained serious injuries.

4. Learned Advocate for the petitioner submitted that



in fact on account of trifle both the parties have entered into a free fight resulting into unfortunate injuries. Moreover the occurrence took place on 31.05.2025 but the FIR came to be instituted on 02.06.2025, after a delay of two days. There is no allegation of repeated blow; though the true fact is that the injured has sustained injuries on account of falling on a hard object. The petitioner only being the head of the family has been made an accused in this case.

5. On the other hand, learned Advocate for the State vehemently opposes the bail application and submits that the injury report clearly corroborates the allegation, all the more the injured is said to be a 65 years old lady, who has sustained fracture injuries in the lower end of left radius, which is said to be grievous in nature.

6. Having considered the submissions set forth by the learned Advocates for the respective parties and taking note of the fact that the injury report suggests that the injury seems to be grievous, let the petitioner be directed to surrender before the court below where the court below shall verify the injury in question. In the event, the injury, in question, is found to be simple in nature, the petitioner would be released on bail from the court below itself on furnishing bail bonds of Rs.10,000/-



(ten thousand) with two sureties of the like amount each in connection with Mirganj P.S. Case No. 99 of 2025, imposing its own condition. However, in case, the injury is found to be grievous in nature, the jurisdictional court shall pass appropriate order taking note of the submission led by the learned Advocate for the petitioner.

7. The application stands disposed of.

(Harish Kumar, J)

Anjani/-

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