

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57253 of 2025

Arising Out of PS. Case No.-42 Year-2025 Thana- CHHATAPUR District- Supaul

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1. Mahtab Alam @ Md. Mohtab Son of Late Masuk Ahmad Resident of Village - Rajbara (Ward No.- 3), P.S.- Chhatapur, District - Supaul
 2. Md. Hajrat Ali @ Hazat Ali Son of Md. Ekram Resident of Village - Rajbara (Ward No.- 3), P.S.- Chhatapur, District - Supaul
 3. Raunak Praveen @ Ronak Praveen Wife of Md. Hajrat Ali @ Hazat Ali Resident of Village - Rajbara (Ward No.- 3), P.S.- Chhatapur, District - Supaul
 4. Sajda @ Sahina Khatoon Wife of Late Masuk Ahmad Resident of Village - Rajbara (Ward No.- 3), P.S.- Chhatapur, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha, Adv.
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. At the outset, learned Advocate for the petitioners, after some argument(s), seeks permission to withdraw the present application on behalf of petitioner no.2.

3. Permission is accorded.

4. The petitioners no.1, 3 and 4 are apprehending their arrest in connection with Chhatapur P.S. Case No. 42 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 110, 303(2), 352, 351(2) and 3(5) of the BNS,



2023.

5. Allegedly, on account of previous enmity, all the FIR named accused persons variously armed with *dabiya*, sword and spade came in the field and started abusing. It is specifically alleged that on the exhortation made by petitioner no.1, co-accused Md. Ashfaq assaulted the informant by means of sword over her head. Simultaneously, co-accused Md. Hajrat (petitioner no.2) assaulted the informant over her backside due to which she sustained serious injury. There is further allegation against petitioner no.4 that she pulled out the hair of the daughter of the informant, whereupon co-accused Saddam Alam assaulted her.

6. Learned Advocate for the petitioners taking this Court through the FIR has contended that there is omnibus nature of allegation against petitioners no.1 3 and 4 and moreover the injury sustained to the informant, out of which one has been found to be grievous in nature, has been attributed against other co-accused persons and petitioner no.2, whose case has already been withdrawn. It is further submitted that there is admitted land dispute between the parties and on account of which, both of them entered into a free fight resulting into injuries to the persons of both the sides. The petitioners are



neighbours and they undertake that no such occurrence would be repeated in future. It is lastly contended that so far petitioners no. 3 and 4 are concerned, though there are two criminal antecedent against them, as noted in para-3 of the bail application, but the same has been instituted by the informant and her family member.

7. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioners have actively participated in the crime.

8. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the nature of allegation, coupled with the fact that the person, who has caused injuries upon the informant is not the petitioner before this Court, besides the undertaking of the petitioners that they will fully cooperate in the proceeding and not indulged in such kind of activity in future, let the **petitioners no.1, 3 and 4**, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st, Supaul in connection with Chhatapur P.S. Case No. 42 of 2025, subject to



the condition as laid down under Section 482(2) of the BNSS,
with further condition that one of the bailors shall be the
own/close family members of the petitioners.

(Harish Kumar, J)

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