

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61538 of 2025

Arising Out of PS. Case No.-251 Year-2025 Thana- MOKAMAH District- Patna

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1. Md. Athlu @ Etul Miyan @ Md Aailu S/o Late Md Sharif @ Md Sharif Miyan R/o Vill.- Shivnar, Ward no. 11, P.S.- Mokama, Dist.- Patna.
 2. Md. Firoz @ MD Phiroz S/o Late Md Sharif @ Md Sharif Miyan R/o Vill.- Shivnar, Ward no. 11, P.S.- Mokama, Dist.- Patna.
 3. Md. Akhtar @ Md. Aftar S/o Md. Athlu @ Etul Miyan @ Md Aailu R/o Vill.- Shivnar, Ward no. 11, P.S.- Mokama, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Ojha, Advocate.
For the Opposite Party/s : Mr. Ajit Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-09-2025 Heard learned counsel appearing on behalf of the
petitioners and learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Mokama P.S. Case No. 251 of 2025 registered for the offence punishable under Sections 118(1), 115(2), 126(2), 109(1), 352 and 3(5) of the B.N.S., 2023.

3. As per the allegation made in the F.I.R., the accused persons including the petitioners with a common intention to kill the son of the informant assaulted him on the vital part of the body.

4. Learned counsel appearing on behalf of the



petitioners submitted that the petitioners are innocent and they have falsely been implicated in the case due to previous enmity. No specific allegation has been alleged against any of the accused named in the F.I.R. The petitioners have clean antecedent. One of the accused has been released on regular bail by the learned District Court. The petitioners against whom also similar allegation has been alleged, in want of any specific allegation against them, they seek to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the nature of allegation made against the petitioners to be not specific rather general and omnibus, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the 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 ACJM-III, Barh, Patna in connection with Mokama P.S. Case No. 251 of 2025, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

7. The District Court is directed to verify the criminal



antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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