

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66884 of 2025

Arising Out of PS. Case No.-133 Year-2025 Thana- PANDAUL District- Madhubani

1. Md. Mojibul S/o- Md. Mosim Resident of Village- Tetraha Police Station- Pandaul, Dist- Madhubani
2. Md. Rajik @ Rajik S/o- Md. Mosim Resident of Village- Tetraha Police Station- Pandaul, Dist- Madhubani
3. Md. Niyaz @ Md. Miyaz @ Niyaz S/o- Md. Mosim Resident of Village- Tetraha Police Station- Pandaul, Dist- Madhubani
4. Md. Istak @ Istak Khan S/o- Md. Mosim Resident of Village- Tetraha Police Station- Pandaul, Dist- Madhubani
5. Md. Samim S/o- Md. Isha Resident of Village- Tetraha Police Station- Pandaul, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Soban Asghar, Advocate
For the Opposite Party/s : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehends their arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 74, 352, 351(2), 3(5) of the Bhartiya Nyaya Sanhita.

3. As per the FIR, the informant was abused by the FIR named accused persons. When she objected, the accused persons entered her house and assaulted her with clubs, fists and



legs, causing injuries on her head.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. There is no specific overt act attributed to the petitioners, rather the allegations are general and omnibus in nature. The incident took place on 17.06.2025, but the FIR was lodged on 21.06.2025, i.e., after a delay of four days, and there is no plausible explanation provided in the entire FIR, which creates a serious doubt over the genuineness of the prosecution story. It is further submitted that the injuries sustained by the injured persons are found to be simple in nature. Lastly, it is submitted that the petitioners have no criminal antecedents.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioners.

6. Considering that there is general and omnibus allegation against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Madhubani/Successor Court in connection with Pandaul P.S.



Case No.133 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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