

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68247 of 2025

Arising Out of PS. Case No.-72 Year-2025 Thana- DARBHANGA SADAR District-
Darbhanga

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Md. Kamaluddin @ Md. Kalamuddin S/o Abdul Qaiyum R/o Village- Loam,
Chaksena, P.S.- Sadar Darbhanga, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjeev Ranjan, Advocate.
		Ms. Saumya Singh, Advocate.
For the Opposite Party/s :		Mrs.Rina Sinha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-10-2025 Heard the matter in “Virtual Hybrid Mode”.

2. Mr. Sanjeev Ranjan, learned counsel appearing on behalf of the petitioner joined the proceeding through video conferencing and heard Mrs. Rina Sinha, learned APP for the State and Ms. Saumya Singh, learned counsel for the petitioner in physical mode.

3. The petitioner seeks pre-arrest bail in connection with Sadar (Darbhanga) P.S. Case No. 72 of 2025 registered for the offence punishable under Sections 126(2), 118(1), 109, 303(2), 352 and 3(5) of the BNS, 2023.

4. As per the allegation made in the F.I.R., petitioner along with other co-accused with a common intention to kill assaulted the informant on his head causing injury.



5. Learned counsel appearing on behalf of the petitioner submitted that there is only one injury on the head of the informant. Allegation against the petitioner and other co-accused is that they with a common intention to kill assaulted the informant. In absence of any repeated blow and vague allegation which is general and omnibus against all the accused persons, petitioner seeks to be released on pre-arrest bail though he has two criminal antecedent in which he is on bail. In support of his submission, learned counsel refers to the information contained in Para-9 of the bail application.

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

7. Having considered the rival submissions made on behalf of the parties and having perused the allegation made in the F.I.R., I find that the specific allegation against the petitioner is that he armed with weapon along with other co-accused had assaulted on the head of the informant with intention to kill him, however, there is only one injury on the head of the informant and as per the opinion of the doctor, the said injury is simple in nature, the petitioner has, prima facie, made out a case to be released on bail.

8. The petitioner, above named, is directed to be



released on pre-arrest bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned District Court where the case is pending in connection with Sadar (Darbhanga) P.S. Case No. 72 of 2025, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

9. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

10. The bail application stands disposed of.

(Purnendu Singh, J)

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