

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68255 of 2025

Arising Out of PS. Case No.-283 Year-2023 Thana- UJIYARPUR District- Samastipur

1. Salma Khatoon @ Salma Khatun W/o Mufij @ Md. Mufij @ Md. Mofid @ Dhirmendra @ Dharmendra Resident of village- Bajidpur @ Bajitpur, PS- Ujiyarpur, District- Samastipur
2. Mufij @ Md. Mufij @ Md. Mofid @ Dhirmendra @ Dharmendra S/o Md. Hakim Resident of village- Bajidpur @ Bajitpur, PS- Ujiyarpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shanker Singh, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-09-2025 Heard Mr. Abhay Shanker Singh, learned counsel appearing on behalf of the petitioners and Mr. Mohammad Sufyan, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Ujiyarpur P.S. Case No. 283 of 2023 registered for the offence(s) punishable under Sections 147,148,149,341,323,324,307,354(B),379,504,506 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioners along with other co-accused, with an intention to kill, assaulted the informant. The petitioner no.2 gave sword blow causing injury on the nose of the informant.



4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have falsely been implicated in the present case. The petitioner no.1 is the wife of the petitioner no.2, against whom there is specific allegation that he (petitioner no.2) with an intention to kill, had assaulted the informant with sword, causing injury on his nose. He further submitted that there is land dispute between the parties. The allegation against the petitioners is ornamental in nature to attract Section 307 of the Indian Penal Code against the petitioners. The petitioners have clean antecedent. On these grounds, the petitioners seek to be released on pre-arrest bail.

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

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that there is land dispute between the parties and the allegation leveled against the petitioners is ornamental in nature to attract Section 307 of the Indian Penal Code against the petitioners, the petitioners are having clean antecedent, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be



released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four 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 learned Sub-Divisional Judicial Magistrate, Dalsingsarai, Samastipur/successor court in connection with Ujiyarpur P.S. Case No. 283 of 2023 , subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned 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 paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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