

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67872 of 2025

Arising Out of PS. Case No.-216 Year-2022 Thana- JOGBANI District- Araria

Md. Nausad, S/o Md. Hadish, R/o Village- Amouna, Ward No. 3, P.S.-
Jogbani, Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 03-12-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Jogbani P.S. Case No. 216 of 2022 registered for the offences punishable under Sections 341, 323, 324, 354, 307, 448, 504, 446, 506, 379 /34 of the Indian Penal Code.

3. On account of eve teasing of the daughter of her neighbour, namely, Aara Khatoon, when the informant, who was said to be an eye witness to the alleged occurrence, shown her inclination to depose. In the meanwhile, the petitioner along with others came into the house of the informant and gave *Farsa* blow over the nose of the informant. When she tried to flee away, he further assaulted, which hit on her leg. There is further allegation against other accused persons of causing assault to informant and others.



4. Learned Advocate for the petitioner submitted that with respect to an allegation of eve teasing of the neighbour's daughter, there had never been any complaint or F.I.R. instituted, however, on account of certain allegation and counter allegation, the parties entered into a free fight, which resulted into some unfortunate injuries. The alleged occurrence took place on 12.07.2022, but the present F.I.R. came to be instituted on 14.07.2022 without there being any explanation for delay in institution of the F.I.R. Referring to the injury report, the copy of which is placed on record, it is submitted that *prima facie* it appears to be a simple injury, but since the injury has caused over the Nasal bone and found some tenderness that is why the same has been shown as grievous in nature, moreover, the allegation of causing injury over the leg does not stand corroborated. The other two persons have sustained simple injury, however, the same have not been attributed against the petitioner. It is the contention of the petitioner that the reason behind false implication of the petitioner cannot be ruled out for the simple reason that both the parties were involved in election and supported the rival claimants and thus keeping grudge to each other. It is lastly contented that be that as it may the petitioner is a man of fair antecedent and he undertakes that he



will fully cooperate in the proceeding of the court and would not indulge in intimidating the witnesses or the informant.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that there is very serious allegation against the petitioner of assaulting and threatening the informant and others.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the fact that there is no repetition of blow, as also the nature of injury, coupled with the delay in lodging of the F.I.R. as well as fair antecedent of the petitioner, besides the undertaking, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Jogbani P.S. Case No. 216 of 2022, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further conditions:

(i) One of the bailors shall be the own/close relative of



the petitioner.

(ii) In case, the petitioner is found indulged in intimidating the informant and witnesses or involved in such type of incidence in future, the informant or the State shall be at liberty to file application for cancellation of the bail of the petitioner.

(Harish Kumar, J)

uday/-

U		T	
---	--	---	--

