

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75240 of 2025

Arising Out of PS. Case No.-178 Year-2025 Thana- MEHSI District- East Champaran

1. Md. Nizamuddin S/o Gaffar R/o Village - Amawa, P.S - Mehsi, District - East Champaran
2. Md. Nazir @ Md.Nasie @ Md.Nasir S/o Gaffar R/o Village - Amawa, P.S - Mehsi, District - East Champaran
3. Md. Kabir S/o Gaffar R/o Village - Amawa, P.S - Mehsi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-11-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in connection with Mehsi P.S. Case No. 178 of 2025, registered for the offences punishable under Sections 190, 191(2), 191(3), 115(2), 118(1), 118(2), 109, 103, 352 and 351(2) of the B.N.S., 2023.

3. The case of the prosecution is that Md. Nizamuddin and Md. Vipat Baitha being armed with sword and 40-50 others being armed with weapon were present. It is alleged that Md. Hamid and Md. Vipat Baitha assaulted with sword due to which the brother of the informant namely, Ajay Kumar succumbed to



the injuries.

4. Learned counsel for the petitioners submits that as per F.I.R. specific accusation of assault is against co-accused Md. Hamid and Md. Vipat Baitha. Petitioner No. 1 is only alleged to be the order-giver and there is no specific allegation of assault against Petitioner Nos. 2 and 3. Learned counsel for the petitioners further submits that the petitioners are innocent and have falsely been implicated in the present case only with *mala fide* intention and ulterior motive. He further submits that similarly situated co-accused Md. Serajul and Md. Sajid @ Md. Sajir have already been granted bail by a co-ordinate Bench of this Court vide order dated 17.09.2025 passed in Cr. Misc. No. 67236 of 2025. The petitioners have got clean antecedent and are in custody since 19.08.2025. Charge-sheet has been submitted in this case.

5. Learned A.P.P. for the State vehemently opposed the bail petition.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran in connection with



Mehsi P.S. Case No. 178 of 2025.

(Prabhat Kumar Singh, J)

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