

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81493 of 2025

Arising Out of PS. Case No.-360 Year-2025 Thana- BAHADURPUR District- Darbhanga

Md. Raju @ Tauqeer Alam S/o- Md. Irfan Resident of village- Bakarganj
Momin Tola PS-Laheriasarai Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ugranath Mallik

For the Opposite Party/s : Mr.Jagdhari Prasad

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-12-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Bahadurpur P.S. Case No. 360 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 118(2), 109, 352, 3(5) of the BNS.

3. On the fateful day, while the informant was going along with his friend on motorcycle, in the meanwhile, six persons, including the petitioner, intercepted and surrounded him. It is alleged that all the accused persons slapped him for 70-80 times, whereupon co-accused Md. Faijan and Md. Raees took him on their motorcycle in an orchard situated behind the TVS showroom. The co-accused Md. Raees called his friend with pistol and thereafter he also gave a dagger blow over the abdomen of the informant.



4. Learned Advocate for the petitioner referring to the FIR contended that the incidence of the occurrence in two parts. So far first part is concerned, there is omnibus nature of allegation of causing slaps; though it has not been specifically attributed against the petitioner. So far the second part of the incident is concerned, it is Ms. Faijan and Md. Raees, who have taken away the informant and later on with the help of his unknown friend assaulted and inflicted dagger blow. Even if the allegation is taken to be true for the sake of argument, no case much less under Sections 109 and 118(2) of the BNS is made out against the petitioner. Though the informant has sustained one grievous injury but admittedly the same has not been attributed to the petitioner. The petitioner bears fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioner along with others brutally assaulted the informant due to which he sustained grievous injury.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of accusation against the petitioner, coupled with the fair antecedent, let the



petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IX, Darbhanga in connection with Bahadurpur P.S. Case No. 360 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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