

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75046 of 2025

Arising Out of PS. Case No.-476 Year-2025 Thana- MADHAURAH District- Saran

1. Vakil Miya @ Vakil Ahamad @ Vakaul Miya S/O Late Rojdin Miya @ Late Md Rojdin Resident of Vill.- Nipania, P.S.- Marhowrah, Dist.- Saran
2. Chhote Babu @ Chote Babu @ Md. Sartaj @ Md. Salim S/O Vakil Miya @ Vakil Ahamad @ Vakaul Miya Resident of Vill.- Nipania, P.S.- Marhowrah, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Dhiraj Kumar Singh
For the Opposite Party/s :	Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-11-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Marhowrah P.S. Case No. 476 of 2025, dated 04.07.2025, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 352, 351(2) & 3(5) of the B.N.S., 2023.

3. As per the prosecution case, in the background of some domestic dispute, the petitioners and co-accused persons assaulted the informant with knife causing a number of injuries to him.

4. Learned counsel appearing on behalf of the



petitioners submit that petitioners are innocent and they have falsely been implicated in the present case. The petitioners are father-in-law and brother-in-law of the brother of the informant respectively and dispute arose over *bidai* of sister-in-law of the informant. There is counter version as Marhowrah P.S. Case No. 477 of 2025 for offence u/s 126(2), 115(2), 118(1), 352, 351(2) and 3(5) of the B.N.S. which was lodged by petitioner no. 1. Though the informant has stated the injury to be grievous. There was no threat to life and therefore no application of section 109 of B.N.S. is made out. The petitioners are having clean antecedent and they are in custody since 08.07.2025.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties, their period of custody, charge-sheet has been submitted and petitioners having clean antecedent, the petitioners, above-named, are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of court of learned Chief Judicial Magistrate, Saran/concerned Court, in connection with



Marhowrah P.S. Case No. 476 of 2025, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial Court.
- (iii) In case of non-appearance of the petitioners on single date or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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