

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79948 of 2025

Arising Out of PS. Case No.-260 Year-2025 Thana- AMAUR District- Purnia

1. Md. Nasim S/O Moiem @ Md. Moeem Uddin @ Moiem @ Moeaim Resident of Majhuuaa, P.S -Amour, District- Purnea.
2. Moiem @ Md. Moeem Uddin @ Moiem @ Moeaim S/O Lae Dowar Resident of Majhuuaa, P.S -Amour, District- Purnea.
3. Jubda @ Jubeda Khatoon W/O Moiem @ Md. Moeem Uddin @ Moiem @ Moeaim Resident of Majhuuaa, P.S -Amour, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-12-2025 Heard Mr. Md Fazle Karim, learned counsel for the

petitioners and Mr. Syed Ehteshamuddin, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Amour P.S. Case No.260 of 2025, F.I.R. dated 16.06.2025 for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 352, 351(2) and 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant



alleged that near upgraded middle school, Majhua the petitioners assaulted her father and her two minor sons due to which they sustained injuries. The injured were treated at Tal-Amour Referral Hospital and later referred to Government Medical College & Hospital, Purnea.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. It appears from the FIR that due to admitted land dispute the present occurrence has taken place and there is case and counter case between the parties. Although the petitioners are named in the FIR but from bare perusal of the FIR it appears that specific allegation of assault is against co-accused person, namely, Naeem.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances and the fact that petitioners have clean antecedent and due to admitted land dispute the present occurrence has taken place and there is case and counter case between the parties and there is no specific allegation of assault against the petitioners rather specific allegation of assault is attributed against co-accused person, let the petitioners, above named, in the event of arrest or



surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Purnea in connection with Amour P.S. Case No.260 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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