

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82551 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- RUDRAPUR District- Madhubani

Md. Salamat Nadaf S/O Samsudin Nadaf R/O Vill.- Gandhrain, P.S.-
Rudrapur, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat, Adv.

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 18-12-2025 Heard the learned Advocate for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Rudrapur P.S. Case No. 62 of 2025, registered for the offences punishable under Sections 115(2), 126(2), 352, 118(1), 109, 76, 74 and 3(5) of the B.N.S.

3. The allegation against the petitioner is of causing assault to the informant and her son, while they were protesting the accused persons, who were engaged in demolishing their house. Besides the aforesaid accusation, it is also alleged that the petitioner has misbehaved with the informant and others.

4. Learned Advocate for the petitioner submitted that the alleged occurrence took place at about 11'o clock on 03.05.2025, but the present FIR came to be instituted on



07.05.2025, without there being any plausible explanation for delay. Moreover, the parties are neighbours and because of some previous dispute, they entered into a scuffle, resulting into some unfortunate injuries. So far the injuries, which are allegedly sustained to the informant and her son are concerned, the same have been found to be simple in nature. The prayer for bail of the petitioner came to be negated only on account of the fact that the petitioner is carrying two criminal antecedent, besides the injuries on vital part.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the prayer of the petitioner has rightly been rejected as there is specific accusation against the petitioner of causing assault as well as he is carrying two criminal antecedent over his head.

6. Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the FIR, besides the simple nature of injury, let the petitioner above named 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, Jhanjharpur, Madhubani in connection with Rudrapur P.S. Case No. 62 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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