

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77134 of 2025

Arising Out of PS. Case No.-410 Year-2025 Thana- MOTIHARI TOWN District- East
Champaran

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1. Roshan Ara @ Roshan Tara W/o Rijwan Ansari R/o Village - Balua Tal, P.S - Town Motihari, District - East Champaran
 2. Muskan @ Mushkan Parween D/o Rijwan Ansari R/o Village - Balua Tal, P.S - Town Motihari, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore @ Kundan Kumar, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 18-11-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with
Motihari Town P.S. Case No. 410 of 2025 instituted for the
offence under Sections 109(1), 126(2), 329(4) & 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on
19.05.2025 the petitioners forcibly entered her house and
assaulted her with a knife, causing injuries to her head and
stomach. It is further alleged that they also attempted to kill her
child and issued threats. The informant states that such acts have
been committed by the accused on multiple earlier occasions,



leading to the present FIR.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 09.08.2025. Petitioners bear no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. Learned counsel for the petitioner submits that there is land dispute between the parties. From perusal of the FIR, it would manifest that allegation against the petitioners are general and omnibus in nature. Even if the allegation is taken on its face value, the injury of the injured is found to be simple in nature. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, injury being found to be simple in nature and charge sheet being submitted, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) each with two



sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Motihari Town P.S. Case No. 410 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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