

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3702 of 2026

Arising Out of PS. Case No.-290 Year-2025 Thana- RAJNAGAR District- Madhubani

1. Md. Afajal @ Asraf @ Md. Asraf Son of Md. Yusuf
2. Md. Asharaf @ Ashique Son of Md. Yusuf
3. Md. Yusuf Son of Md. Harun
All Resident of Village- Kijiyana, P.S.- Rajnagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 28-01-2026

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for bail apprehending their arrest in connection with Rajnagar P.S. Case no.290 of 2025 (G.R. no.1671 of 2025) registered for the offence punishable under sections 126(2), 115(2), 76, 303(2), 109(1), 352, 351(2)(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, it is stated that all the accused persons came variously armed with sword, iron rod, spear etc. On the orders of Md. Yusuf, Md. Afajal is said to have assaulted the informant with a sword causing grievous injuries.



4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. There is an inordinate delay of two days in lodging of the FIR. There is no allegation of repetition of blow. The petitioners have no criminal antecedent. The manner of occurrence is other than what has been narrated in the FIR. The matter has been compromised between the parties. The petitioners undertake to cooperate in the investigation/trial.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner no.1 Md. Afajal @ Asraf @ Md. Asraf of having struck with a sword on the head of the informant together with the corresponding injury having been found which in the opinion of the doctor is grievous in nature, the Court is not inclined to enlarge the petitioner no.1 Md. Afajal @ Asraf @ Md. Asraf on anticipatory bail and the application is rejected.

7. The petitioner no.1 is directed to surrender in the learned Court below within a period of four weeks.

8. In the facts of the case, it is directed that the petitioner no.2 namely Md. Asharaf @ Ashique and the



petitioner no.3 namely Md. Yusuf, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Rajnagar P.S. Case no.290 of 2025 (G.R. no.1671 of 2025) on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Madhubani.

(Partha Sarthy, J)

Saurabh/-

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