

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7274 of 2026

Arising Out of PS. Case No.-109 Year-2025 Thana- Pahleja P.S. District- Saran

1. Bablu Kumar @ Hemraj S/o Late Chhihattar Mian R/o Village - Kasmar Machhali Hat, P.S - Pahleja, District - Saran
2. Tetar Kumar @ Md. Afroj S/o Late Chhihattar Mian R/o Village - Kasmar Machhali Hat, P.S - Pahleja, District - Saran
3. Golu Kumar @ Md. Sabir S/o Late Chhihattar Mian R/o Village - Kasmar Machhali Hat, P.S - Pahleja, District - Saran
4. Md. Mustak @ Mustak Mian S/o Late Memi Mian R/o Village - Kasmar Machhali Hat, P.S - Pahleja, District - Saran
5. Jinod Mian S/o Late Memi Mian R/o Village - Kasmar Machhali Hat, P.S - Pahleja, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Adv.
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 01-04-2026 Heard Mr. Ranjit Kumar Thakur, learned Counsel
for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Pahleja P.S. Case No. 109 of 2025 for the offence registered under sections 126(2), 115(2), 118(1), 109(1), 352, 351(2)(3), 3(5) of BNS.

3. As per the prosecution story, the informant alleged that the accused persons arrived and on the issue of payment of Rs. 1,000/-, after abuse, the assault took place in which



petitioner no. 2, Tetar Kumar @ Afroj assaulted Priyanshu while Md. Mustak (petitioner no. 4) assaulted Ashutosh (informant) whereas against petitioner no. 5 (Jinod Mian), the allegation is that he assaulted Golu. This followed the FIR.

4. Learned Counsel for the petitioners submit that there is case and counter case, minor scuffle has been given different colour and so far as petitioner no. 1 and 3, namely, Bablu Kumar and Golu Kumar are concerned, omnibus allegation is there, they are students.

5. Learned APP for the State, on the other hand, has taken this Court to the injury report to show that so far as injury to Priyanshu is concerned, it has been found to be grievous in nature though on Ashutosh, it has been recorded as simple injury.

6. Considering the submissions of the parties aforesaid, so far as the relief sought for by petitioner no. 2, Tetar Kumar @ Md. Afroj is concerned, the same is rejected.

7. Regarding other petitioners, in view of the fact that against some, omnibus allegation is there while against Md. Mustak, the assault made on the informant has been found to be simple in nature, as submitted above, in that background, this Court is inclined to grant the petitioner nos. 1, 3, 4 and 5,



namely, Bablu Kumar, Golu Kumar, Md. Mustak and Jinod Mian the anticipatory bail with conditions.

8. Let the petitioner nos. 1, 3, 4 and 5, namely, Bablu Kumar, Golu Kumar, Md. Mustak and Jinod Mian in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Saran, Chapra in connection with Pahleja P.S. Case No. 109 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner nos. 1, 3, 4 and 5, namely, Bablu Kumar, Golu Kumar, Md. Mustak and Jinod Mian, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *bona fide*;

(ii) the petitioner nos. 1, 3, 4 and 5, namely, Bablu Kumar, Golu Kumar, Md. Mustak and Jinod Mian shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner nos. 1, 3, 4 and 5, namely, Bablu



Kumar, Golu Kumar, Md. Mustak and Jinod Mian shall appear before the concerned police station every fortnight for next six months to mark attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the petitioner nos. 1, 3, 4 and 5, namely, Bablu Kumar, Golu Kumar, Md. Mustak and Jinod Mian shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner nos. 1, 3, 4 and 5, namely, Bablu Kumar, Golu Kumar, Md. Mustak and Jinod Mian shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

U		T	
---	--	---	--

