

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6540 of 2026

Arising Out of PS. Case No.-81 Year-2025 Thana- Safiyasarai District- Munger

1. Md. Shohab @ Shahab S/o- Late Ajhul @ Ajmul Resident of Mohammadpur Farda PS Safiasarai Dist- Munger
2. Rinku Malik @ Riku Malik S/o- Late Md. Anshu Malik @ Anish Malik Resident of Mohammadpur Farda PS Safiasarai Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Gupta, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Sessions Case No. 512 of 2025, arising out of Safiasarai P.S. Case No. 81 of 2025 instituted for the offence under Sections 191(2), 193(3), 190, 126(2), 115(2), 132, 196, 109(1) & 285 of the Bharatiya Nyaya Sanhita, 2023 and Sections 30 & 27 of the Arms Act.

3. Prosecution case, in short, is that on 27.09.2025 at about 12:05 PM, on receiving information of a dispute and firing near Mohammadpur Petrol Pump, police reached the spot at 12:15 PM and found a violent mob obstructing traffic,



assaulting passersby, and indulging in scuffle with police personnel. During action to maintain law and order, 11 persons were arrested, names of 21 absconders and 40–50 unknown persons were disclosed, and on search of the house of Md. Jamal Malik, one revolver with 12 cartridges was recovered, leading to registration of FIR against 32 persons.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 28.09.2025. Petitioners bear no criminal antecedents, 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. From perusal of the FIR, it would manifest that there is no specific allegation against the petitioners rather the same is general and omnibus in nature. Nothing has been recovered from the conscious possession of the petitioners. Petitioners were at best the members of the mob. Charge sheet has already been submitted in this case. Other co-accused has been granted bail by this Court vide order dated 28.01.2026, passed in Cr. Misc. No. 5370 of 2026.

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 and charge sheet being submitted, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sessions Case No. 512 of 2025, arising out of Safiasarai P.S. Case No. 81 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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