

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12970 of 2026

Arising Out of PS. Case No.-311 Year-2025 Thana- SURSAND District- Sitamarhi

1. Hashnain Rayeen @ Md. Hashnain Rayeen @ Md. Hasnain Rain S/O Md. Jahagir Rain@Lalu Rain@Jahagir Rayeen@Md. Jahagir Rayeen@Mohammad Jahagir Rayeen R/O Ward N. 3, Nagar Panchayat Sursand, P.S- Sursand, Distt.- Sitamarhi.
2. Mostikam @ Md. Mostikeem Rayeen @ Md. Mustakim Rain @ Md. Mostakim Rain @ Mostikim Rain S/O Mohammad Islam Rain @ Islam Rain R/O Ward N. 3, Nagar Panchayat Sursand, P.S- Sursand, Distt.- Sitamarhi.
3. Saimun Khatoon @ Saimun Khatoon W/O Md. Gulam Mustafa @ Mustafa Rayeen @ Md. Gulam Mustafa R/O Ward N. 3, Nagar Panchayat Sursand, P.S- Sursand, Distt.- Sitamarhi.
4. Jahangir Rayeen@Md. Jahangir Rayeen @ Mohammad Jahangir Rayeen@LaluRain@Md. Jahagir Rain@JahagirRain S/O Md. Islam Rain @ Mohammad Islam Rain @ Late Islam Rain R/O Ward N. 3, Nagar Panchayat Sursand, P.S- Sursand, Distt.- Sitamarhi.
5. Mustafa Rayeen @ Md. Gulam Mustafa @ Md. Gulam Mustufa S/O Md. Islam Rain @ Mohammad Islam Rain @ Late Islam Rain R/O Ward N. 3, Nagar Panchayat Sursand, P.S- Sursand, Distt.- Sitamarhi.
6. Md. Mokhtar Rayeen @ Mokhtar Rayeen @ Mokhtar Rain S/O Jahangir Rain @ Lalu Rain @ Md. Jahagir Rain @ Jahagir Rayeen @ Md. Jahagir Rayeen R/O Ward N. 3, Nagar Panchayat Sursand, P.S- Sursand, Distt.- Sitamarhi.
7. Nabood Khatoon @ Mahmooda Khatoon @ Mahmuda Khatun W/O Md. Jahangir Rain @ Lalu Rain @ Md. Jahagir Rain @ Jahagir Rayeen @ Md. Jahagir Rayeen R/O Ward N. 3, Nagar Panchayat Sursand, P.S- Sursand, Distt.- Sitamarhi.
8. Jamatun Khatoon @ Jamaitun Khatoon W/O Md. Mostakim Rain@Mostikam@Md. Mostikeem Rayeen @ Md. MustakimRain@Md.MustakimRain@MostkimRain R/O Ward N. 3, Nagar Panchayat Sursand, P.S- Sursand, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhubala Verma, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER



3 29-04-2026 Heard Mrs. Madhubala Verma, learned Counsel for the petitioners, Mr. Sanjay Kumar Singh for the State as also Mr. Santosh Kumar representing the informant.

2. The petitioners apprehend their arrest in connection with Sursand P.S. Case No. 311 of 2025 for the offence registered under sections 126(2), 115(2), 105, 74, 303(2), 352, 351(2), 3(5).

3. As per the prosecution story, the informant alleged that the accused persons were assaulting her grandson and when her husband came to her rescue, he was also assaulted by all the accused persons. The main allegation is against petitioner no. 5 and 6 namely Mustafa Rayeen and Md. Mokhtar Rayeen that they hit her husband on the chest as a result whereof, he fell down on the ground and died. This led to the FIR.

4. Learned Counsel for the petitioners submit that a perusal of the FIR would show that each and every family members have been roped in, which included Mustafa Rayeen and Md. Mokhtar Rayeen. It was a natural fall which led to the death.

5. Learned counsel for the informant on the other hand submits that a perusal of the FIR would show that it was Mustafa Rayeen and Md. Mokhtar Rayeen who hit the deceased, as a result whereof, he fell down and died.

6. Taking into account the submissions of the parties, so far as the anticipatory bail application of petitioner nos. 5 and 6,



namely, Mustafa Rayeen and Md. Mokhtar Rayeen are concerned, it stands rejected.

7. So far as petitioner nos. 1 to 4, 7 and 8, namely, Hashnain Rayeen, Mostikam, Saimun Khatoon, Jahangir, Nabood Khatoon and Jamatun Khatoon are concerned, they do not have criminal antecedent, omnibus allegation is there, main role has been attributed to Mustafa Rayeen and Md. Mokhtar Rayeen, in that background, this Court is inclined to grant them the anticipatory bail with conditions.

8. Let the petitioners 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 S.D.J.M., Pupri, Sitamarhi in connection with Sursand P.S. Case No. 311 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 to 4, 7 and 8, namely, Hashnain Rayeen, Mostikam, Saimun Khatoon, Jahangir, Nabood Khatoon and Jamatun Khatoon, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *bona fide*;

(ii) the petitioner nos. 1 to 4, 7 and 8, namely, Hashnain



Rayeen, Mostikam, Saimun Khatoon, Jahangir, Nabood Khatoon and Jamatun Khatoon 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 to 4, 7 and 8, namely, Hashnain Rayeen, Mostikam, Saimun Khatoon, Jahangir, Nabood Khatoon and Jamatun Khatoon 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;

(iv) the petitioner nos. 1 to 4, 7 and 8, namely, Hashnain Rayeen, Mostikam, Saimun Khatoon, Jahangir, Nabood Khatoon and Jamatun Khatoon 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/-

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