

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16809 of 2026

Arising Out of PS. Case No.-90 Year-2025 Thana- ABADPUR District- Katihar

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1. Md. Rahi Son Md. Matiya @ Abdus Salam @ Abdul Salam Resident of Mathurapur, P.S.-Abadpur, District- Katihar.
 2. Md. Jahangir@ Jahangir Son of Guljar @ Guljan Resident of Mathurapur, P.S.-Abadpur, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Pramod Kumar, Advocate
For the State	:	Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-04-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek bail in a case registered for the
offence punishable under Sections 103 & 3(5) of the B.N.S..

3. The prosecution case, in brief, is that on on
14.08.2025, husband of informant went for work near Khadda
Dari River, in the meantime, co-accused Md. Matiya and other
named accused persons, including these petitioners, abused and
assaulted husband of informant with sticks after a dispute over
Patwa. Villagers later rescued husband of informant in a



severely injured condition but due to lack of money, proper treatment could not be provided and husband of informant died on 18.08.2025.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. From bare perusal of the F.I.R. it is apparent that specific accusation of assault by *lathi* is against co-accused Md. Matiya and there is general and omnibus nature of accusation against these petitioners. As per *post mortem* report, only one injury was found on the chest of the deceased. Moreover, charge-sheet has already been submitted and petitioners, having no criminal antecedents, are in custody since 06.12.2025.

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

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, period of custody and clean antecedents of the petitioners, the prayer for grant bail of to the petitioners is allowed.

7. Accordingly, let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate-III,
Katihar in connection with Abadpur P.S. Case No. 90 of 2025.

(Prabhat Kumar Singh, J)

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