

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20991 of 2026**

Arising Out of PS. Case No.-321 Year-2024 Thana- SUGAULI District- East Champaran

1. Lal Mohamad Khan S/o Rafik Khan @ Rafi Khan
2. Mazid Khan S/o Rafik Khan @ Rafi Khan
3. Bhuttu Khan @ Julfikar Ali Bhuttu @ Julfikar @ Julfikar Ali Bhattu @ Julfikar Ali S/o Rafik Khan @ Rafi Khan
4. Samsul Khan S/o Idrish Khan  
All Resident of village - Nakardei, P.S.- Sugauli, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                 |
|--------------------------|---|---------------------------------|
| For the Petitioner/s     | : | Mr.Abhishek Kumar, Advocate     |
| For the Opposite Party/s | : | Mr.Zainul Abedin, APP           |
| For the Informant        | : | Mr. Krisha Kant Singh, Advocate |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      10-04-2026                      Heard Mr.Abhishek Kumar, learned counsel for the petitioners, Mr. Krisha Kant Singh, learned counsel for the informant and Mr.Zainul Abedin, learned A.P.P. for the State.

2. The petitioners seek bail, in connection with Sugauli P.S.Case No.321 of 2024, F.I.R. dated 19.07.2024 registered for the offence punishable under Section 126(2),115,118(1),117(2),109,303(2),3(5) of BNS and Section 27 of the Arms Act.

3. Learned counsel appearing for the petitioners submits that the petitioners have been granted privilege of anticipatory bail vide order dated 08.01.2025 passed in Cr.



Misc. No. 89048 of 2024 but the petitioners could not furnish their bail bonds due to their criminal antecedents which they have not mentioned in the criminal miscellaneous application. Thereafter, the petitioners have again moved before this Court for grant of anticipatory bail but the same was dismissed vide order dated 23.09.2025 passed in Cr. Misc. No. 62620 of 2025. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case. Although the specific allegation against the petitioners in the FIR but from a bare perusal of the FIR it appears that co-accused person, namely, Mintu Khan has assaulted to Junaid Khan and there is no specific allegation of any assault or overt-act attributed against the petitioner and the injury inflicted upon the injured person are simple in nature. There is case and counter case. Petitioner Nos.1 to 3 are in custody since 07.01.2026 and petitioner No.4 is in custody since 21.12.2025 respectively.

4. Learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for bail of the petitioners and submits that petitioner No.1 carries four more cases, petitioner No.2 carries three more cases, petitioner No.3 carries two more cases and petitioner No.4 carries five more cases other than the present one but fairly submits that



petitioners are on bail in all the cases, as mentioned in para-3 of the bail petition.

5. Considering the aforesaid fact, let the petitioners, above named, 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 Judicial Magistrate-1st Class, Motihari, East Champaran in connection with Sugauli P.S.Case No.321 of 2024, with the following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

Nitesh/-

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