

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21761 of 2026

Arising Out of PS. Case No.-550 Year-2025 Thana- JAMUI District- Jamui

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1. Rajan @ Md. Sajjid Ali @ Md. Rajan @ Md. Rajan Sajid Ali Md. Mahtab
R/o Village - Nimarang, Ward no. 27, P.S. and Dist. - Jamui.
 2. Sajjan @ Md. Ali Raza @ Md. Sajan @ Sajan Aliraja Son of Md. Mahtab
R/o Village - Nimarang, Ward no. 27, P.S. and Dist. - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-04-2026 Heard learned counsel for the petitioners, learned APP
for the State and learned counsel for the informant.

2. The petitioners are apprehending arrest in connection with Jamui P.S. Case No. 550 of 2025 lodged on 25.09.2025, for the offence punishable under Sections 126(2), 115(2), 109, 352, 351(2)(3) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against seven named accused persons including the present petitioners and 5 unknown persons. It has been alleged in the FIR that when the informant went to visit his new house, then all the accused persons and 5 unknown persons armed with lathi, iron rod and sword surrounded him and then abused and assaulted him. Accused Md. Mahtab assaulted the informant by sword on



his head due to which injury has been caused, and the other accused persons also assaulted the informant. The allegation against petitioner no.2 is that on the order of Md. Mustaq, he has assaulted Md. Imtiyaz on his right shoulder due to which injury has been caused.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. Counsel submits that for the same date and place of occurrence, there are case and counter case from both the sides. Counsel submits that as per the counter case, it transpires that both parties have received injuries. He submits that there is no allegation against petitioner no.1, but, against petitioner no.2, there is allegation of assault. Counsel submits that from the impugned order, it is apparent that the allegation and the injury are mismatched. He further submits that the accused Md. Mahtab has been granted anticipatory bail by the Co-ordinate Bench of this Court in Cr. Misc. No.19928/2026. He further submits that the petitioners have clean antecedent and they are ready to fulfill all the conditions whatsoever shall be imposed upon them. Therefore, bail may be granted to the petitioners.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that there is specific



allegation against petitioner no.2 of assault to Md. Imtiyaz and injury of Md. Imtiyaz has already been discussed in the impugned order and two of such injuries are grievous in nature. Counsel further submits that the anticipatory bail application of the petitioners be rejected, as they all assaulted the informant's side.

6. Learned APP for the State opposes the prayer for bail of the petitioners and submits that against petitioner no.1, there is no specific allegation, but against petitioner no.2, there is specific allegation in the FIR. He submits that it is also true that there is allegation against accused Md. Mahtab, but as intimated by counsel for the petitioners, he has been granted anticipatory bail by the Co-ordinate Bench of this Court.

7. After hearing the parties, it transpires to this Court that there is no specific allegation against petitioner no.1, therefore, let the above named petitioner no.1 be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of C.J.M., Jamui, in connection with Jamui P.S. Case No. 550 of 2025, subject to the conditions as laid down



U/s 482(2) of the B.N.S.S., 2023.

8. So far as petitioner no.2 is concerned, this Court is not inclined to grant bail to him, as there is specific allegation against him in the FIR. Accordingly, the prayer for anticipatory bail of the petitioner no.2 stands rejected.

9. However, if petitioner no.2 surrenders before the concerned Trial Court within a period of six weeks from today then in that case, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day, without being prejudice that the anticipatory bail of the petitioner no.2 has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

10. So far as anticipatory bail granted to accused Md. Mahtab is concerned, it transpires to this Court that from the FIR filed by the informant, Md. Mahtab has received injury and therefore, the case of Md. Mahtab cannot be compared with the case of petitioner no.2.

(Dr. Anshuman, J)

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