

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22019 of 2026

Arising Out of PS. Case No.-49 Year-2020 Thana- BHEJA District- Madhubani

Moti Asraf S/o Abdul Hafij R/o Village - Mahpati, P.S. - Bheja , District - Madhubnai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate Mr. Ravi Prakash
For the Opposite Party/s :		Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 08-04-2026 Heard the learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks regular bail in connection with Bheja P.S. Case No. 49 of 2020 registered for the offence under Section(s) 302/34 of the Indian Penal Code.

3. As per the prosecution case, one Md. Shamshad @ Laddan is said to have stabbed the deceased. The petitioner and others are said to have caught hold of the deceased.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. Petitioner is in custody since 13.10.2025 and claims clean antecedent. It is further submitted that the petitioner has been falsely implicated in this case because he had participated in the



mediation, and it is unbelievable that 4–5 persons could catch hold of the deceased, after which someone would stab him.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances, the period of custody and the fact that the main accused is one Md. Shamshad @ Laddan, this application for regular bail is allowed.

7. Accordingly, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Bheja P.S. Case No. 49 of 2020 subject to conditions that:-

(i). The petitioner shall appear in the trial regularly either personally or through his lawyer and shall cooperate in the trial and non-cooperation in the trial shall result in cancellation of the bail bond of the petitioner.

(ii). At the time of accepting the bail bonds of the petitioner, the Court below shall verify the fact whether the petitioner has clean antecedent or not. If it is found that the petitioner has clean antecedent then only his bail bonds shall be accepted by the Court below. However, it is made clear that 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.*

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

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