

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27217 of 2026

Arising Out of PS. Case No.-133 Year-2025 Thana- BASOPATTI District- Madhubani

1. Mehnaj Khatoon @ Mahnej Khatoon Daughter of Rahmatullah @ Rahmatullah Ansari Ward No. 02, Vill. and .P.O.- Sothgaon, P.S.-Harlakhi, Dist.- Madhubani.
2. Mo. Chand @ Mohammad Chand @ Md. Chand Son of Md. Amshul Ansari Resident of Village- Nayatola, Dubehi (Dubhi) Bazar, P.S.- Pasopatti, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Soban Asghar, Advocate
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-04-2026 Heard Md Soban Asghar, learned counsel for the petitioners and Mr. Mukesh Kumar Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Basupatti P.S. Case No. 133 of 2025, F.I.R. dated 11.06.2025 for the offences punishable under Sections 189(2), 126(2), 115(2), 109 & 103(2) of Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, 26 accused persons including the petitioners assaulted the informant and his family



members with *lathi, danda, farsa, sword* due to which they sustained injuries and one Sattar Ansari died while he was being taken to D.M.C.H for treatment.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Although the petitioners are named in the FIR but from bare perusal of the FIR it appears that there is no specific allegation of assault or overt act against them rather there is general and omnibus allegation against all the accused persons including the petitioners and similarly situated co-accused persons, namely, Roma Khatoon @ Rama Khatoon and Mo Sabina Khatoon @ Samina have been granted the privilege of anticipatory bail by the co-ordinate Bench of this Court vide order dated 21.02.2026 in Cr. Misc. No. 4811 of 2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances and the fact that petitioners have clean antecedent and there is no specific allegation of assault or overt act against them and similarly situated co-accused persons have been granted the privilege of anticipatory bail by the co-ordinate Bench of this Court, let the petitioners, above named, in the event of arrest or



surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Judicial Magistrate, 1st Class, Basopatti, Madhubani in connection with Basupatti P.S. Case No. 133 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other 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 tampers 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)

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