

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27789 of 2026

Arising Out of PS. Case No.-44 Year-2026 Thana- CHAKIA District- East Champaran

1. Yusuf Raeesh @ Md. Yusuf Rayees @ Isuf Rayees S/o Md. Rayees Resident of Village - Imadpatti, Himadpatti, P.S. - Chakia, District - East Champaran
2. Md. Yusuf S/o Md. Kamullah Resident of Village - Imadpatti, Himadpatti, P.S. - Chakia, District - East Champaran
3. Md. Ibrahim S/o Md. Kamullah Resident of Village - Imadpatti, Himadpatti, P.S. - Chakia, District - East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-04-2026 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Chakia P.S. Case No. 44 of 2026, dated 25.01.2026, registered for the offences punishable under Sections 126(2), 115(2), 109, 303(2) and 351(2) read with Section 3(5) of the B.N.S., 2023.

3. As per prosecution case, petitioners and other co-accused persons abused and assaulted the informant. Petitioner no. 3 caught hold of the informant and co-accused Md. Asif gave him a knife blow on his head. Petitioners and other co-



accused persons started assaulting the informant with *lathi* causing injuries on his left leg and left hand. Petitioner no. 3 snatched rupees ten thousand from the bag of the informant who fell down and became unconscious.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The specific allegation of assault by means of knife is levelled against co-accused Md. Asif and the only allegation levelled against petitioner no. 3 is of catching hold of the informant and the co-accused giving him knife blow. Similarly, the allegation levelled against petitioner no. 2 is of assaulting the informant by means of *lathi*. There is no specific allegation against petitioner no. 1 for causing any injury or assaulting the informant. Learned counsel further submits that the parties are agnates and there is land dispute between them. Petitioner no. 1 is a student and he is having clean antecedent, whereas petitioner nos. 2 and 3 reside in Delhi for their livelihood and they have been made accused in two cases in this family dispute. Learned counsel further submits that some scuffle took place between the parties and both the sides have received minor injuries, but the informant exaggerated the incident and lodged this false case.



5. Learned APP opposes the submissions made on behalf of the petitioners and submits that apart from one incised wound over right temporal region, swelling and tenderness have been found on left forearm and left knee, though the injuries are stated to be simple in nature.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague and non-specific nature of allegation for assault against the petitioners and also considering the background of land dispute and probability of false accusation, let the petitioners, above-named, in the event of their arrest or surrender before the Court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, East Champaran, Motihari, in connection with **Chakia P.S. Case No. 44 of 2026**, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and



*every date fixed by the Court below, if so required by the
learned trial Court.*

(Arun Kumar Jha, J)

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