

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32592 of 2026

Arising Out of PS. Case No.-564 Year-2025 Thana- GARKHA District- Saran

1. Sakila Khatoon, aged about 35 years, Female, D/o Jamsed Sai
2. Guddi Khatoon, aged about 36 years, Female, D/o Jamsed Sai
Both resident of Village- Raghupur, P.S. Garkha, District- Saran.
3. Eid Mohammad @ Eid Mohhamd Sai @ Eid Mohhamad Sah, Son of Late Subhan Sah @ Salau Sai, Resident of Village- Paiga, P.S.- Bheldi, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 28-07-2026 Heard Mr. Alok Kumar Alok, learned counsel

appearing on behalf of the petitioners and Mr. Prem Kumar Jha,

learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Garkha P.S. Case No. 564 of 2025, registered for the
offence punishable under Sections 191(2), 190, 126(2), 115(2),
118(1), 109 and 352 of the BNS.

3. As per the allegation made in the FIR, petitioners
along with other accused persons, had allegedly assaulted the
informant and his family members causing injury, due to land
dispute in respect of which a Partition Suit No. 175 of 2023 is



pending before the competent Civil Court.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and they have falsely been implicated in the present case. General and omnibus allegation has been levelled against petitioner no. 2. The allegation against petitioner no. 1 is of having assaulted Rojaddin and Khurshid Khan, who had sustained multiple injuries but it cannot be attributed to the petitioner no. 2. Specific allegation against petitioner no. 3 is of having assaulted the Khushal on his head by means of iron rod, however, opinion of the doctor has been reserved. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State, referring to the case diary, informs this Court that specific allegation against petitioner no. 1 is of having assaulted Rojaddin and Khurshid Khan, who had sustained multiple injuries on their body as would appear from the injury report, which has been brought on record by the Investigating Officer at page nos. 18 to 20 of the case diary and petitioner no. 3 had assaulted Khushal by means of iron rod on his head, which is vital part of the body, as such, petitioners don't deserve to be released on pre-arrest bail.



6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the FIR and the case diary, I find that specific allegation against petitioner no. 1 is of having assaulted the Rojaddin and Khurshid Khan, who had sustained multiple injuries on their body and petitioner no. 3 had assaulted Khushal by means of iron rod on his head, which is vital part of the body, I am not inclined to enlarge the petitioners no. 1 and 3 on pre-arrest bail.

7. So far as petitioner no. 2 is concerned, considering that general and omnibus allegation has been levelled against him, he is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Garkha P.S. Case No. 564 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner no. 2 as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner no. 2 as what has been stated in paragraph no. 3, this order will lose its force automatically.



9. Accordingly, the present bail application stands disposed of.

(Purnendu Singh, J)

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