

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31372 of 2026

Arising Out of PS. Case No.-137 Year-2025 Thana- INDUSTRIAL District- Bhagalpur

Md. Kaiful S/o Md. Makil Mansuri R/o Vill. Chandani Chowk (Masoori Tola)
Fatehpur, P.S. - Industria area, Dist. - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Opposite Party/s : Mr. Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-05-2026 Heard Mr. Indeshwari Prasad Mandal, learned
counsel for the petitioner and Mr. Umeshanand Pandit, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
25.10.2025 in connection with Industrial P.S. Case No. 137 of
2025 for the offences punishable under Sections 196, 191(2),
190, 109, 115(2) of BNS.

3. The case of the prosecution, in brief, is that on
22.09.2025 at about 19:45, informant received an information
on his mobile that there is a fight between Hindu and Muslim
near Fatehpur Imambara, and pelting stones towards each other.
He registered a sanha regarding this. Thereafter, he informed
senior police officers and departed for the place of occurrence.
When he reached at the place of occurrence, he saw that both



sides are creating obstacles and a person namely Md. Ehsan was injured and blood was oozing out from his head. The said injured was sent to Primary Health Centre for treatment. Thereafter, on observation of CCTV footage and secret information, he got to know that Jeetu Kumar and Md. Ibran had a quarrel on Kharra Road due to parking of vehicle. Thereafter Md. Ibran has assaulted Jeetu Kumar near Chauka Fatehpur. Jeetu Kumar also retaliated by assaulting on the house of Md. Rahees. During the course of incident, nearby people gathered there and started pelting stones towards each other. When informant enquired the matter from the chowkidar, he told that Jitendra Kumar, Yajesh Yadav, Karku, Golu Kumar, Shashi Kumar, Nand Kishore Yadav, Benga, Anup Kumar, Adarsh Kumar, Sanjeev Kumar along with 50 unknown persons and Md. Irfan, Md. Ibran, Md. Siddique, Md. Ehsan Hasan, Md. Kalam, Md. Kaiful, Md. Moti, Md. Balli, Md. Akram, Md. Sarfaraz along with 50 other persons were pelting stones towards each other.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any



offence as alleged in the FIR. It is next submitted that although the petitioner is named in the FIR but there is no specific allegation against the petitioner rather the allegations are general and omnibus in nature and the allegation of pelting stone is against 15 unknown accused persons and the name of the petitioner has transpired on the basis of CCTV footage. It is next submitted that no one has received injury in the present occurrence and co-accused persons have been granted regular bail and anticipatory bail by the learned Court below itself and the police after investigation has submitted charge sheet and the petitioner is in custody since 25.10.2025.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of fifteen cases other than the present case but fairly submits that petitioner is on bail in the pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Bhagalpur in connection with Industrial P.S. Case No. 137 of 2025, subject to the following



conditions:-

i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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)

Gaurav Sinha/-

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