

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21852 of 2026

Arising Out of PS. Case No.-284 Year-2024 Thana- MOHIUDDIN NAGAR District-
Samastipur

Saurav Kumar Son of Ajay Kumar Singh Resident of Village- Hemanpur,
P.S.- Mohiuddin Nagar, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tarkeshwar prasad singh S/o late lalkishun Singh vill hemanpur ps
mohiuddin nagar dist samastipur

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 33341 of 2026

Arising Out of PS. Case No.-284 Year-2024 Thana- MOHIUDDIN NAGAR District-
Samastipur

Wasim Khan @ Md. Baseem S/o Md. Asim Khan @ Mohammad Ashik
Resident of village - Nawada, PS - Mohiuddin Nagar, District - Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tapeshwar Prasad Singh S/o Late Lal Kishun Singh Resident of village -
Hemanpur, PS - Mohiuddinnagar, District - Samastipur (Informant)

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 21852 of 2026)

For the Petitioner/s : Mr. Anil Chandra, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, APP
For the Informant : Ms. Archana Sinha, Sr. Advocate
Mr. Shubham Shankar, Advocate

(In CRIMINAL MISCELLANEOUS No. 33341 of 2026)

For the Petitioner/s : Mr. Abhay Shankar Singh, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP
For the Informant : Ms. Archana Sinha, Sr. Advocate
Mr. Shubham Shankar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 10-07-2026 Heard Mr. Anil Chandra, learned counsel for the

petitioner, Ms. Archana Sinha, learned senior counsel for the



informant and Ms. Sangeeta Sharma, learned Additional Public Prosecutor for the State in Cr. Misc. No. 21852 of 2026 and Mr. Abhay Shankar Singh, learned counsel for the petitioner, Ms. Archana Sinha, learned senior counsel for the informant and Mr. Anil Kumar, learned Additional Public Prosecutor for the State in Cr. Misc. No. 33341 of 2026.

2. Petitioners seek bail where petitioner, namely, Saurav Kumar is in custody since 02.01.2026 and petitioner, namely, Wasim Khan @ Md. Baseem is in custody since 24.02.2025 in connection with Mohiuddinnagar P.S. Case No. 284 of 2024, F.I.R. dated 15.12.2024 for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 127(2), 115(2), 118(1), 118(2), 109, 103(1), 61(2), 352, 351(2) and 351(3) of the BNS, 2023 and Section 27 of the Arms Act.

3. According to prosecution case, all the accused persons including these petitioners armed with sticks, iron rod, pistol and axe have brutally assaulted the grandson and son of the informant due to which his son died.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. From perusal of the FIR it appears that the informant is not the eye witness of the alleged occurrence and



he has filed the present case against the petitioners on the basis of disclosure made by the deceased son of the informant. It appears from the FIR that there is no specific allegation against the petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners and due to some petty dispute the present occurrence has taken place. There is case and counter case between the parties and in the counter case, petitioners have also received injuries and petitioner namely, Saurav Kumar's brother also died. They further submits that the police after investigation submitted the charge sheet against the petitioners. The petitioner, namely, Saurav Kumar is in custody since 02.01.2026 and petitioner, namely, Wasim Khan @ Md. Baseem is in custody since 24.02.2025.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioners and submit that previously the petitioner namely, Saurav Kumar was accused in another case bearing Mohiuddin Nagar P.S. Case No. 50 of 2024 and due to this reason the present occurrence has taken place and he was arrested in that case but later on granted bail by the competent Court of law. Thereafter, the police have submitted final form in



favour of the petitioner, namely, Saurav Kumar in that case. Apart from that, petitioner, namely, Saurav Kumar carries ten criminal antecedents other than the present one but fairly submits that he is on bail in nine cases and one case is pending for consideration before the competent court of law and petitioner, namely, Wasim Khan @ Md. Baseem carries one criminal antecedent other than the present one and he is also on bail in the said case.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, 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 Additional Sessions Judge-VI-cum-Special Court (POCSO), District- Samastipur in connection with Mohiuddinnagar P.S. Case No. 284 of 2024, subject to the 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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