

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39052 of 2026

Arising Out of PS. Case No.-12 Year-2026 Thana- KUSHESHWARASTHAN District-
Darbhanga

MD. AHMAD S/O Late Allaudin Resident Of Village- Rampur Raut, Police
Station- Kusheshwar Sthan, District- Darbhanga Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-06-2026 Heard Mr. Nilendu Kumar Choudhary, learned
counsel for the petitioner as well as Mr. Jitendra Kumar Singh,
learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 10.04.2026 in connection with Kusheshwar Asthan (Kusheshwarsthan) P.S. Case No. 12 of 2026, F.I.R. dated 21.01.2026 for the offences punishable under Sections 126(2), 117(2), 109(2), 74, 303(2) and 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant alleged that on 17.01.2026 at 8.30 A.M, when the informant was at his shop, then the petitioner along with other accused persons, armed with weapons due to an old enmity, arrived at the shop of the informant and assaulted him by means of iron rod causing head wound and bleeding. When the informant's mother came to rescue,



then the accused persons assaulted her also and pulled her saree with bad intentions.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. It appears from the FIR that there is no specific allegation of assault or overt act against this petitioner rather the allegation against him are general and omnibus in nature that he along with other accused persons misbehaved with the mother of the informant. He next submits that another co-accused, Md. Idrish @ Badshah Khand, who assaulted the informant by means of iron rod has been granted the privilege of bail by this Court vide order dated 15.04.2026 in Cr. Misc. No. 24438 of 2026. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 10.04.2026.

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

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and there is no specific allegation of assault or overt act against him, 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 A.C.J.M.-Biraul, Darbhanga in connection with Kusheshwar Asthan (Kusheshwarsthan) P.S. Case No. 12 of 2026,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)

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