

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40779 of 2026**

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

1. Mamina Khatoon, D/o Sheikh Jokhu
2. Saleya Khatoon, W/o Shiekh Jokhu
3. Shiekh Jokhu, S/o Shiekh Shahbaz
All are R/o Village- Jalaha, P.S.- Sangrampur, District- East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-06-2026 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The accused/petitioners are named in the FIR

and apprehending their arrest in connection with

Sangrampur P.S. Case No.44 of 2026 registered under

Sections 126(2), 115(2), 118(1), 109, 308(5), 308(4),

61(2), 303(2), 352, 351(2) read with 3(5) of the Bhartiya

Nyaya Sanhita, 2023 (in short 'BNS').

3. As per FIR, which is based upon Complaint

Case No.2986 of 2024 filed on 06.02.2026, wherein the

petitioners were alleged to assault the complainant/informant



by using iron rod and knife causing head and bodily injuries, where occurrence alleged to be arising out of previous enmity.

4. It is submitted by learned counsel appearing for petitioners that earlier a criminal case i.e. Sangrampur P.S. Case No.358 of 2024 was lodged by petitioners' side against the informant and others and to counter the same, the present case was lodged as an afterthought after about two years. It is submitted that showing the occurrence of year 2024, the present false complaint was filed on 07.02.2026 only on the basis of which, the present FIR was lodged on 08.02.2026. It is submitted that the injury report submitted by a private doctor as to aggravate the allegation, where the injury is alleged to be caused by sharp object, where one of the injuries i.e. head injury, opined as grievous. It is submitted that all petitioners are of clean antecedent.

5. Learned APP while opposing the prayer of bail could not disputed the aforesaid delay and the complaint which was shown of year 2024, in actual was filed in 2026.

6. In view of aforesaid factual submissions and by



taking note of fact as the FIR in issue was lodged on the basis of complaint, which was filed in February, 2026 for the occurrence, which took place in December, 2024, where injury report was obtained from a private doctor, accordingly, all above-named three petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, are directed to be released on bail, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M.F.C., East Champaran, Motihari in connection with Sangrampur P.S. Case No.44 of 2026, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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