

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45088 of 2026

Arising Out of PS. Case No.-727 Year-2025 Thana- DHAKA District- East Champaran

Moh. Wazid Khan @ Golden Khan, Son of Chhotu Khan, Resident of Village-
Padari, P.S.- Dhaka, District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Aditya Raj Singh, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is not named in the FIR

and apprehending his arrest in connection with Dhaka P.S.

Case No.727 of 2025 registered under Sections 191(1),

126(1), 115(1), 109(1) and 74 of the Bhartiya Nyaya

Sanhita, 2023 (in short 'B.N.S.').

3. As per FIR, petitioner along with other named

accused persons i.e. total of 20 persons, assaulted the

informant and her husband and other family members,

causing head and bodily injuries. A firing was also made for

creating terror.

4. It is submitted by learned counsel appearing for



petitioner that except co-accused Sahid Khan, the petitioner, who is the member of mob was not alleged to attribute any overt act during the occurrence. It is pointed out that even the allegation against Sahid Khan as to drag the informant by holding her hair along with three more co-accused persons is also not convincing and same is appearing very much general and omnibus in nature.

5. Arguing further, it is submitted by learned counsel that occurrence took place due to neighbourhood disputes and differences for which, the petitioner's side lodged the case at its first instance, which was registered as Dhaka P.S. Case No. 726 of 2025 and to counter the same, the present false case was lodged. It is submitted that occurrence was free fight in nature and, therefore, it can be safely said that the petitioner was not under intention to cause death of the injured/informant. Petitioner's side also received injuries during the occurrence. The petitioner claimed clean antecedent.

6. Learned APP opposed the prayer of bail.

7. In view of aforesaid factual submissions and by



taking note of fact, as allegation against petitioner is only to be part of mob, without attributing any overt act, whereas the nature of allegation against the petitioner is also appearing very much general and omnibus in nature, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail 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 S.D.J.M., East Champaran at Motihari in connection with Dhaka P.S. Case No.727 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short 'CrPC')/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short 'BNSS').

(Chandra Shekhar Jha, J.)

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