

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 43955 of 2026

Arising Out of PS. Case No.-370 Year-2026 Thana- SAHARSA SADAR District- Saharsa

1. Md. Monajir @ Manajir Islam S/o Md Naiem Resident of Village- Rupnagra, Ward No.-45, P.S.- Saharsa, District- Saharsa
2. Md. Karim S/o Md. Jibrael @ Jibrael @ Munna Resident of Village- Rupnagra, Ward No.-45, P.S.- Saharsa, District- Saharsa
3. Md. Jabraiel @ Md. Jibrael S/o Md. Naiem Resident of Village- Rupnagra, Ward No.-45, P.S.- Saharsa, District- Saharsa
4. Md. Naiem S/o Late Sheikh Mohammad Ali @ Sheikh Mohammad Resident of Village- Rupnagra, Ward No.-45, P.S.- Saharsa, District- Saharsa
5. Suraj Kumar Sah @ Suraj Kumar S/o Late Yogendra Sah Resident of Village- Rupnagra, Ward No.-45, P.S.- Saharsa, District- Saharsa
6. Md. Israiel S/o Late Md. Yusuf Resident of Village- Rupnagra, Ward No.-45, P.S.- Saharsa, District- Saharsa
7. Md. Yumam @ Md. Mustakim S/o Md. Jibrael. Resident of Village- Rupnagra, Ward No.-45, P.S.- Saharsa, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-07-2026 Heard learned Advocate for the petitioners and
learned Advocate for the State.

2. The petitioners apprehend their arrest in connection with Saharsa Sadar P.S. Case No.370 of 2026 registered for the offences punishable under Sections 191(2), 190, 115(2), 126(2), 118(1), 74, 76, 109, 351(2), 351(3) and 3/5 of the BNS, 2023.

3. On account of a land dispute, allegedly, the



petitioners along with unidentified miscreants by forming an unlawful assembly armed with deadly weapons, including lathi, danda, iron, knives assaulted the informant due to which he sustained serious injuries.

4. Learned Advocate for the petitioners, taking this Court through the FIR, contended that the genesis of the occurrence, *prima facie* appears to be a land dispute which resulted into a free fight leading to some unfortunate injuries. However, no specific allegation of causing any overt act has been attributed against these petitioners, besides there is a counter version of the present case being Saharsa Sadar P.S. Case No.392 of 2026 instituted by wife of petitioner no.1 against the informant and others. So far the injuries, which are allegedly sustained to the informant are concerned, the same have been found to be simple in nature. Petitioner no.1 bears one criminal antecedent whereas petitioner no.4 is facing two criminal antecedent over his head. So far the other petitioners are concerned, they bear fair antecedent.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that there is a specific accusation against the petitioners of causing severe assault leading to serious injuries over the vital part of



the informant and, on this reason alone, their prayer for bail was turned down by the court below.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the genesis of the occurrence, coupled with the factum of case and counter case as also the simple nature of injuries, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa in connection with Saharsa Sadar P.S. Case No.370 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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