IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47543 of 2026

CNR No. BRHC010616172026

Arising Out of PS. Case No.-140 Year-2019 Thana- DARBHANGA District- Darbhanga

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1. Md. Ibrarul Haq @ Nurul Hasan @ Tunnai, aged about 40 years (M), Son of Md. Nurul Haq @ Md. Lal.
2. Md. Shaquib @ Md. Sakib @ Shaquib, aged about 28 years (M), Son of Md. Nurul Haq @ Md. Lal
3. Raji Ahmad @ Md. Razi, aged about 36 years (M), Son of Moinul Haq.
4. Md. Abuzar (Adnan) @ Md. Adnan, aged about 27 years (M), Son of Zaki Ahmad. All are residents of Mohalla - Kilaghat, P.O - Lalbagh, P.S - Town, District - Darbhanga, Bihar.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Madhav Jha, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 25-11-2026 Heard Mr. Madhav Jha, learned counsel appearing on behalf of the petitioners and Mr. Shailendra Kumar Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Town P.S. Case No. 140 of 2019, registered for the offence punishable under Sections 147, 149, 336, 353, 323 and 342 of the Indian Penal Code.

3. As per the allegation made in the FIR, a scuffle broke out between the children of one Md. Tanveer Ansari and Md. Juber @ Bhola in which, Md. Tanveer Ansari became

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severely injured and in course of treatment, he succumbed to the same. Due to anger, a mob of 200-250 unknown persons including five named accused apprehended Md. Juber @ Bhola and started assaulting him but in the meantime, police party came and took Md. Juber @ Bhola into custody but they had also assaulted the police personnel, due to which, they sustained injury.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and they have falsely been implicated in the present case. Petitioners are not named in the FIR. General and omnibus allegation has been levelled against the petitioners. Name of the petitioners has surfaced in course of investigation and they have been made accused merely on the basis of suspicion. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, I find that Petitioners are not named in the FIR. General and omnibus allegation has been levelled against the petitioners.

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Name of the petitioners has surfaced in course of investigation and they have been made accused merely on the basis of suspicion. Petitioners have clean antecedent. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, 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 District Court where the case is pending, in connection with Town P.S. Case No. 140 of 2019, subject to the condition as laid down under Section 482(2) of the BNSS.

8. **The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.**

(Purnendu Singh, J)

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