

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44909 of 2026

Arising Out of PS. Case No.-417 Year-2025 Thana- MUNGER MUFFASIL District- Munger

1. Md. Dilshad @ Dilshad @ Dulare S/O Md. Meraj @ Kallu R/O Village - Banoudha, P.S- Muffasil, Distt.- Munger
2. Md. Mobashshir @ Pyare S/O Md. Meraj @ Kallu R/O Village - Banoudha, P.S- Muffasil, Distt.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 08-07-2026 Heard the learned counsel for the petitioners and the learned A.P.P. appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Muffasil P.S. Case No. 417 of 2025 for allegedly having committed offences under Sections 126(2), 115(2), 118(1), 109, 303(2), 324(4), 352, 351(2) and 3(5) of B.N.S., 2023.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant, to the effect that on the date of occurrence, all the accused persons, including the petitioners caught hold of the informant and took him on a motorcycle behind the house of one Md. Shafique in an open field. The accused persons assaulted the informant with butt of pistol and iron rod, due to which he sustained injuries and they



left him at the place of occurrence. On the next day, at around 05:00 a.m. when the family members came there, they took him to the hospital where after regaining consciousness on 26.11.2025, he found that his gold chain, gold ring and Rs.18,000/- along with the mobile was also snatched by the accused persons.

4. The learned counsel for the petitioners submits that no such occurrence has taken place and the informant fell down in the ditch himself, due to which he sustained injuries. The doctor, who had treated him, found the injuries to be simple in nature. He further submits that the petitioners have got one criminal antecedent bearing Muffasil P.S. Case No.189 of 2024.

5. *Per contra*, the learned APP appearing on behalf of the State opposes the prayer for grant of anticipatory bail to the petitioners and submits that the petitioners have got a criminal antecedent and therefore they do not deserve the privilege of anticipatory bail.

6. Having considered the rival submissions and after going through the records, it appears that general and omnibus allegation of assault has been levelled against all the accused persons, including the petitioners. Further from perusal of the injury report, which has been brought on record by the learned counsel for the petitioners by way of Annexure-2 to the present



anticipatory bail petition, it would transpire that the treating doctor found the injuries to be simple in nature caused by hard and blunt substance.

7. Taking into consideration the facts aforesaid, let the petitioners, above-named, in the event of their arrest or surrender within a period of six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in connection with Muffasil P.S. Case No.417 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S with a further condition that:-

The learned court concerned shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court concerned shall take steps for cancellation of their bail bonds. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

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