

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 45244 of 2026

Arising Out of PS. Case No.-97 Year-2026 Thana- PIRPAINTI District- Bhagalpur

1. Md. Julfarz @ Md. Julfaraj @ Md. Gulfaraz S/o Chhotu Alam @ Md. Chotu Alam
 2. Md. Sharif S/o Md. Naim @ Md. Naeem
 3. Md. Mojahid @ Shiekh Mojahid S/o Md. Naim
- All are Resident of Village- Roshanpur, PS- Pirpainti, Dist.- Bhagalpur
... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-07-2026 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 Pirpainti
P.S. Case No.97 of 2026 registered under Sections 191(2),
191, 126(2), 115(2), 109, 303(2) and 76 of the Bharatiya
Nyaya Sanhita, 2023 (in short 'BNS').

3. As per FIR, co-accused persons including
petitioners alleged to assault the informant and others during
the occurrence by using lathi, iron rod etc., causing head and
bodily injuries, which alleged to made with intention to cause
death of injured, where occurrence alleged to be arising out



of previous enmities.

4. It is submitted by learned counsel appearing for the petitioners that the occurrence was free fight in nature, where both parties received injuries for which the petitioners' side also lodged a case which has been registered as Pirpanti P.S. Case No.102 of 2026. It is further submitted that the allegation is available against 14 named co-accused persons as to assault informant and others, where co-accused, namely, Sikandar was specifically alleged to assault informant by using iron rod. It is further submitted that these petitioners were part of mob only and were not specifically alleged to assault anyone during the occurrence. Explaining criminal antecedent, it is submitted that petitioner no.1 is a man of clean antecedent, whereas, the petitioner no.2 & 3 found involved in one more criminal case, where they are on bail.

5. Learned APP duly assisted by the learned counsel for the informant, while opposing the prayer of bail submitted that these petitioners were also actively participated during the occurrence along with co-accused



persons.

6. In view of aforesaid factual submissions and by taking note of fact, as *prima facie* occurrence appears free fight in nature, where both parties received injuries, coupled with the fact that allegation of specific assault is not available against these petitioners rather same is available against other co-accused persons, accordingly, all three above-named petitioners, are directed to be released on bail, in the event of their arrest or surrender in the court below within a period of four weeks, 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 Chief Judicial Magistrate, Bhagalpur in connection with Pirpanti P.S. Case No.97 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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