

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51118 of 2026

Arising Out of PS. Case No.-89 Year-2026 Thana- AURANGABAD TOWN District-
Aurangabad

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1. Saif @ Md. Saif S/o Hidakat Hussain Resident of Village - Nawadih, P.S. -Auranagabad Town, District - Aurangabad.
 2. Md. Alisan S/o Md. Kalim Resident of Village - Nawadih, P.S. -Auranagabad Town, District - Aurangabad.
 3. Md. Ejajul @ Md. Azaz S/o Md. Kalim Resident of Village - Nawadih, P.S. -Auranagabad Town, District - Aurangabad.
 4. Bhola @ Hasan Jalal S/o Fajilat Hassain Resident of Village - Nawadih, P.S. -Auranagabad Town, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Adv.

For the Opposite Party/s : Mr. M. K. Nirala, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-07-2026 Heard Mr. Bachan Jee Ojha, learned Advocate for the
petitioners and Mr. M. K. Nirala, learned Additional Public
Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Aurangabad (Town) P.S. Case No. 89 of 2026,
registered for the offences punishable under Sections 191(2),
190, 126(2), 115(2), 117(2), 109(1) of the BNS.

3. Allegedly on the given date and time of occurrence
when the informant came to know that her brother-in-law is shot
dead and thus while she was going to shop, in the meanwhile,



she saw that her neighbours were engaged in celebrating the death of her brother-in-law and when she made a protest, all of them assaulted by means of iron rod due to which she sustained grievous injury.

4.Learned Advocate for the petitioners referring to the FIR contended that bare plain reading of the same, it is evident that omnibus accusation has been levelled against nine accused persons, including the petitioners, without giving any specific averments as to by whom she has sustained injury. Moreover, the informant has sustained only one injury. The reason behind the said occurrence is said to be an earlier case bearing Aurangabad (Town) P.S. Case No. 205 of 2021 instituted by the mother of the petitioner no. 4 against the family members of the informant. The petitioners do have some criminal antecedent, however, they undertake that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the informant has sustained grievous injury.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the omnibus nature of accusation, coupled with the genesis of



the occurrence, besides the undertaking of the petitioners, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Town) P.S. Case No. 89 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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