

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66330 of 2025

Arising Out of PS. Case No.-184 Year-2025 Thana- JOKIHAT District- Araria

1. Tabrej @ Tabrej Alam S/o Suleman R/o Village - Simariya, Ward No. 5, P.S - Jokihat, District- Araria
2. Ubesh @ Md. Ubesh S/o Suleman R/o Village - Simariya, Ward No. 5, P.S - Jokihat, District- Araria
3. Jamshed S/o Suleman R/o Village - Simariya, Ward No. 5, P.S - Jokihat, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rama Nand Poddar, Advocate
For the State : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-01-2026 Heard Mr. Rama Nand Poddar, learned counsel
for the petitioner and learned APP representing the State.

2. The petitioners are apprehending their arrest in connection with Jokihat P.S. Case No. 184 of 2025 registered for the offence under Sections 126(2), 115(2), 76, 303(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, lodged on 10.06.2025 by the informant, Tanzeela.

3. As per the prosecution story, the informant alleged that on the land dispute issue, the accused persons firstly abused and then assaulted. Allegation is that Tabrej (petitioner no.1) assaulted Jubeda by using a sword while Ubesh (petitioner no.2)



assaulted her husband Sabiruddin again on the head and lastly, Jamshed (petitioner no.3) assaulted the informant by farsa, as a result whereof, all of them got injured. They were shifted to Referral Hospital, Jokihat which followed the F.I.R.

4. Learned counsel for the petitioners submit that admittedly, there is a land dispute, case and counter case, the Referral Hospital, Jokihat, Araria has recorded the injuries of all the three injured as simple in nature, these petitioners do not have criminal antecedent. Last submission is that without accepting the allegation or outcome of the present petition, the petitioners intend to pay Rs.2,000/- each (totaling Rs.6,000/-) to the informant towards treatment by Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted at the time of execution of bail bond.

5. Learned APP opposes the prayer submitting that though there is case and counter case allegation of assault is against all these three petitioners.

6. Considering the submissions of the parties as also the materials on record, though the allegation is there, case and counter case have been lodged, the injuries have been found to be simple in nature, they do not have criminal antecedent, in that background, this Court is inclined to extend them the



privilege of anticipatory bail subject to payment of Rs.2,000/- each (totaling Rs.6,000/-) to the informant as undertaken by the learned counsel for the petitioners through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted at the time of execution of the bail bond and the same shall be handed over to the informant after checking the credentials.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Jokihat P.S. Case No. 184 of 2025 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;



(iii) the petitioners shall appear before the concerned police station every month for next six months to mark their attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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