IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75318 of 2026

CNR No. BRHC010971212026

Arising Out of PS. Case No.-36 Year-2024 Thana- Bargaon District- Darbhanga

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1. Md. Saddam S/o Md. Ibrahim R/o Village - Bargaon, P.S - Bargaon, District - Darbhanga
2. Md. Arshad @ Arshad Ali @ Arsad Ali S/o Md. Ibrahim R/o Village - Bargaon, P.S - Bargaon, District - Darbhanga
3. Md. Samad @ Md. Samsad S/o Md. Israfil R/o Village - Bargaon, P.S - Bargaon, District - Darbhanga
4. Manno @ Md. Manveer S/o Md. Tauhid @ Md. Jahangir R/o Village - Bargaon, P.S - Bargaon, District - Darbhanga
5. Munna @ Md. Halim S/o Israil @ Md. Ijrial R/o Village - Bargaon, P.S - Bargaon, District - Darbhanga
6. Ghotam @ SK Chhote @ Shekh Chhote S/o Late Abdul @ Shekh Abul R/o Village - Bargaon, P.S - Bargaon, District - Darbhanga

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vishwa Shri Rajendra, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P
For the Informant : Mr. Divya Prakash, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

2 30-10-2026 Heard Mr. Vishwa Shri Rajendra, learned counsel appearing for the petitioners, learned A.P.P and the Informant.

2. Petitioners apprehend arrest in a case registered for the offences punishable under sections 191(2), 126(2), 115(2), 118(1), 117(2), 109, 303(2), 324(5), 352, 351(2) and 3(5) of BNS.

3. The prosecution case in brief, is that, on the alleged date and time of occurrence the informant and her husband were present at the shop, meanwhile, FIR named accused person including these petitioners came variously armed with weapons,

formed an unlawful assembly and assaulted the informant and her family members. Thereafter, looted the shop of the informant and her *Dewar*.

4. Learned counsel for the petitioners submits that these petitioners are innocent and have falsely been implicated in this case. There is no specific allegation of overt act against these petitioners. Allegation of assault is general and omnibus in nature. It is further submitted that there is case and counter case between the parties. Furthermore, several similarly situated co-accused have been granted bail vide order dated 29.07.2026 passed in Cr. Misc. No. 44866 of 2026. Petitioners claim clean antecedent.

5. Learned counsel for the State and the Informant opposed the prayer for pre-arrest bail.

6. Considering the nature of accusation and clean antecedent of the petitioners, prayer for bail of these petitioners is allowed. In the event of arrest/surrender within eight weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrte 1st Class, Biraul, Darbhanga in connection with Bargaon P.S. Case No. 36 of 2024, subject to the conditions laid down under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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