

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68871 of 2025

Arising Out of PS. Case No.-29 Year-2024 Thana- BAIRGACHHAI District- Araria

Qumrul @ Quamrul @ Kamrul Son of Late Aiyub, Resident of Village-
Koshkapura, Ward No. 01, Police Station -Bairgacchi, District- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Mukesh Kumar Rana, Advocate
For the State	:	Mr. Jai Narain Thakur, APP
For the Informant	:	Mr. Ramesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 05-01-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Bairgachhi P.S. Case No. 29 of 2024 dated 20.05.2024, registered for the offences punishable under Sections 341, 323, 324, 307, 504 and 506 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, petitioner and other co-accused persons assaulted the elder brother of the informant causing a number of injuries to him.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in the present case. No offence in the manner as alleged has ever taken place. Petitioner is own brother of the informant and



allegations of assault with sharp edged weapon is not believable. The FIR has been lodged after delay of twenty-four hours for which there is no satisfactory explanation. On the date of occurrence, some scuffle took place between the brothers and in that scuffle the elder brother Tabarak fell down and sustained injuries. The occurrence took place in the background of land dispute and this fact is apparent from the FIR. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 15.06.2025.

5. Learned A.P.P. appearing on behalf of the State as well as learned counsel for the informant oppose the submissions made on behalf of the petitioner. Learned counsel for the informant submits that there is specific allegation against the petitioner that he stabbed his elder brother with knife and three incised wounds have been found on the person of Tabarak and two such injuries have been found to be grievous.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner, his period of custody and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of



Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria / concerned Court, in connection with **Bairgachhi P.S. Case No. 29 of 2024**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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