IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79722 of 2026

CNR No. BRHC011130102026

Arising Out of PS. Case No.-45 Year-2026 Thana- Dagmara District- Supaul

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Md. Sadre Alam Son of Md. Motiur Rehman @ Moti Urarahaman Resident of village - Rajpur, Ward No.- 03, P.S.- Dagmara, District - Supaul.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Prasoon Kumar, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 25-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered under Sections 126(2), 115(2), 109, 303(2), 76, 352, 351(2)(3) and 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the F.I.R., all the accused persons including the petitioner abused and assaulted the informant. When the mother of informant came to rescue him, the accused persons abused her and also outraged her modesty.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has committed no offence. Further submission is that petitioner and informant are gotiya, co-villagers so also belong to same family and due to

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previous enmity with regard to bifurcation of land, the instant case has been lodged by the informant. The injury on the injured is simple in nature. There is case and counter case between the parties. It is also submitted that the F.I.R. has been lodged after a delay of six days without any plausible explanation. Petitioner has got two criminal antecedents and he is on bail in both the cases. Petitioner undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposed the prayer for bail.

6. Having considered the facts and circumstances of the case, submissions of learned counsel for the parties, nature of allegation so also the nature of injury, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Birpur, Supaul in connection with Dagmara P.S. Case No. 45 of 2026, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita with further conditions:-

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(i) the petitioner shall co-operate in the investigation and trial of the case and shall remain present on each and every date during trial when required and in his absence on two consecutive dates without reasonable cause, the trial court is at liberty to cancel his bail bond.

(ii) if the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iii) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bond.

(Sunil Dutta Mishra, J)

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