

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78835 of 2025

Arising Out of PS. Case No.-78 Year-2024 Thana- PAHARKATTA District- Kishanganj

Gadu @ Sagiruddin @ Md Sagiruddin S/O Abdul Hamid @ Hamid R/O
Village- Fulhara Ward No. 3, P.S- Pahar Katta, Distt.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 06-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Paharkatta P.S. Case No. 78 of 2024 instituted for the offences
under Sections 109(1), 115(2), 117(2), 118(1), 126(2), 190,
191(2), 191(3), 351(2), 352 of the Bharatiya Nyaya Sanhita,
2023.

3. Prosecution case, in short, is that, on the alleged
date and time of occurrence, the petitioner and other co-accused
persons were ploughing the fields of the informant in illegal
manner. When the informant opposed, the accused persons
started abusing and assaulted the brothers of the informant. It is
further alleged that on the orders of co-accused Hakimuddin, all



the accused persons assaulted the brothers of the informant. It is also alleged that co-accused Anwar assaulted the informant's brother namely, Roshan Ali with axe on his head repeatedly.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The specific allegation of assaulting the informant's brother Roshan Ali is against co-accused Anwar. It has been submitted on behalf of the petitioner that the petitioner is in custody since 09.09.2025 and has no criminal antecedent. The co-accused persons have already been granted anticipatory bail by this Court vide order dated 27.03.2025 passed in Cr. Misc. No. 79810 of 2024, Cr. Misc. No. 83306 of 2024 and Cr. Misc. No. 6469 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of



Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Paharkatta P.S. Case No. 78 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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