

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83136 of 2025

Arising Out of PS. Case No.-107 Year-2025 Thana- LAUKAHA District- Madhubani

Md. Gafoor @ Md. Gafur Son of Md. Dukhiya @ Md. Dukhi R/o Village -
Kamalpur, P.S. - Laukaha, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Laukaha P.S. Case No. 107 of 2025 registered for the alleged offences under Sections 103(1), 3(5) of B.N.S.

03. As per prosecution case, the petitioner and other co-accused persons, in the background of dispute over drainage of dirty water on the land of the informant, assaulted the husband of the informant making him unconscious. When the husband of the informant was taken to Primary Health Centre, he was referred to Sadar Hospital, Madhubani and the husband of the informant died while being taken to the hospital.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The prosecution case is palpably false and concocted and the husband of the informant died a natural death. This fact has come in the postmortem report which also shows there was no sign of any external injury on the person of the husband of the informant. Land dispute is admitted and for this reason, taking the advance of death of her husband, the informant has made accused this petitioner along with his other family members. The petitioner is having clean antecedent. The petitioner is in custody since 23.07.2025 and charge sheet has been submitted.

05. Learned APP opposes the submission made on behalf of the petitioner. However, learned APP very fairly submits that in the postmortem report the doctor has opined the death occurred due to cardio respiratory failure (natural).

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the cause of death as given in the postmortem report and also considering the period of custody of the petitioner, his clean antecedent and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Jhanjharpur,



District - Madhubani/concerned Court in connection with
Laukaha P.S. Case No. 107 of 2025, subject to the conditions
mentioned in Section 480(3) of B.N.S.S. and also the 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.
- (iii) In case of absence on three consecutive
dates 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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