

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84904 of 2025

Arising Out of PS. Case No.-107 Year-2023 Thana- JAGDISHPUR District- Bhojpur

Chulai Musahar @ Chulai Mushahar S/O Late Dular Chand Musahar R/O
Vill.- Purab Muhalla (Musahar Toli), Ward no. 18, jagdishpur, P.S.-
Jagdishpur, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Malti Kumari, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-01-2026 Heard Ms. Malti Kumari, learned counsel for the

petitioner and Mr. Syed Ehteshamuddin, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
18.01.2025 in connection with Jagdishpur P.S. Case No. 107 of
2023, F.I.R. dated 18.03.2023 for the offences punishable under
Sections 147, 148, 149, 323, 341, 337, 338, 302 and 307 of the
IPC.

3. According to prosecution case, this petitioner along
with other accused persons brutally assaulted the informant and
his brothers-in-law due to which one Mohan Musahar died
during treatment.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. Although the petitioner is named in the F.I.R but it appears from the F.I.R itself that there is no direct or specific allegation of assault against the petitioner rather there is general and omnibus allegation against all the accused persons including this petitioner. She further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 18.01.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and there is no specific allegation against the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-I, Bhojpur at Ara in connection with Jagdishpur P.S. Case No. 107 of 2023, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and



on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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