

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86130 of 2025

Arising Out of PS. Case No.-111 Year-2025 Thana- POTHIIYA District- Kishanganj

1.

Samsuddin @ Md Shamsuddin @ Md. Samsuddin Haque S/O Late Lalajan Sekh Resident of Village- Mirjapur, P.S.- Pothia, District- Kishanganj.
2.

Saidul Haque S/O Samsuddin @ Md. Shamsuddin @ Md. Samsuddin Haque Resident of Village- Mirjapur, P.S.- Pothia, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

321-01-2026

Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Pothia P.S. Case No. 111 of 2025 instituted for the offences under Sections 126(2), 115(2), 118(1), 117(2), 109(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution story, in short, is that while the informant was working on his land, the petitioners and co-accused, allegedly on the instigation of Samsuddin, i.e. petitioner no. 1, surrounded and assaulted him and his family



members with *lathi*, knife and iron rod, causing head injuries and fracture to the daughter-in-law.

4. Learned counsel for the petitioners submitted that petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submits that general and omnibus allegation has been made against these petitioners. Learned counsel further submitted that the only role of the petitioner no. 1 is of order giver and so far as petitioner no. 2 is concerned, he is said to have assaulted the wife of the informant. He further contended that the injury sustained by the informant's wife is simple in nature. He further submitted that petitioner no. 1 is an old man, aged about 90 years and suffering from several old age ailments. It has been submitted on behalf of the petitioners that the petitioners are in custody since 07.10.2025 and have one criminal antecedent.

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

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

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with



two sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Pothia P.S. Case No.
111 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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