

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86981 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- Rangara District- Bhagalpur

Md. Gayas Alam @ Md. Gayas @ Gayas Son of Late Md. Shallo @ Md. Sallem Resident of Village- Baisi Jahangirpur, P.S.- Rangra, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 87547 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- Rangara District- Bhagalpur

Md. Rakib Alam @ Md. Gayas @ Md. Rakib S/O Sallo Alam @ Salim Resident of Village-Jahangirpur, Police Station-Rangra, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 86981 of 2025)

For the Petitioner/s : Mr. Saroj Shandilya, Advocate

: Mr. Binay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 87547 of 2025)

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-01-2026 Heard Mr. Saroj Shandilya, learned counsel for the petitioner as well as Mr. Upendra Kumar, learned Additional Public Prosecutor for the State (in Cr. Misc. No. 86981 of 2025) and Mr. Amrendra Kumar, learned counsel for the petitioner as well as Mr. Akbar Ali, learned Additional Public Prosecutor for



the State (in Cr. Misc. No. 87547 of 2025).

2. Petitioners seeks bail who is in custody since 21.09.2025 in connection with Rangra P.S. Case No. 27 of 2025, F.I.R. dated 18.02.2025 for the offences punishable under Sections 352, 351(2)(3), 126(2), 115(2), 118(1), 109, 331(2), 74, 303(2)/3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant alleged that when he was in his house, then the petitioners along with other accused person entered his house and assaulted him by means of lathi and iron rod and when the son and wife of the informant came to save her, the accused persons assaulted them also.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they falsely been implicated in the present case. It appears from the FIR that due to some petty dispute the present occurrence has taken place. The the petitioners are named in the FIR and there is specific allegation against petitioner, namely, Md. Rakib Alam that he assaulted the informant by means of iron rod and the injury inflicted upon the informant is grievous in nature and as far as allegation against petitioner, namely, Md. Gayas alam is concerned, allegation against him is that he assaulted the son of



the informant, namely, Md. Sahzad and his injury is not available in the case diary which suggest that he has not received any injury. It appears from the FIR that date of the occurrence was on 19.01.2025, and Fardbayan was recorded on 30.01.2025 but the FIR was lodge on 18.02.2025 i.e. after delay of about one month without giving any reason of delay. The police after investigation submitted charge-sheet and the petitioners are in custody since 21.09.2025.

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

6. Considering the aforesaid facts and circumstances, let the petitioners, 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 1st, Naugachia in connection with Rangra P.S. Case No. 27 of 2025, subject to the following conditions:-

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

ii. If the petitioners tamper 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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