

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88628 of 2025

Arising Out of PS. Case No.-164 Year-2025 Thana- PANCHRUKHI District- Siwan

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1. Shahjad Ali Peshar @ Shahjad Ali @ Mohammad Sahzad Ali @ Md. Shahjad Ali S/o Azirullah @ Azirullah Ali Resident of Village- Mohammadpur, Sahtakiya, P.S.- Panchrukhi, Dist.- Siwan (Bihar)
 2. Shamima Khatoon W/o Shahjad Ali Peshar @ Shahjad Ali @ Md. Shahjad Ali Resident of Village- Mohammadpur, Sahtakiya, P.S.- Panchrukhi, Dist.- Siwan (Bihar)
 3. Mohammad Kajim Miyan @ Md. Kajim S/o Fakira Miyan Resident of Village- Mohammadpur, Sahtakiya, P.S.- Panchrukhi, Dist.- Siwan (Bihar)
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Adarsh Singh
For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Learned counsel for the petitioner prays for and
is permitted to withdraw this application on behalf of the
petitioner no. 1.

3. Accordingly, this application is dismissed as
withdrawn with regard to petitioner no. 1 and now this
application is restricted to petitioner nos. 2 and 3 only.

4. The petitioner nos. 2 and 3 apprehends their
arrest in connection with Panchrukhi P.S. Case No. 164 of 2025
registered for the offence under Sections 126(2), 115(2), 118(1),
109, 352, 351(2), 3(5) of the BNS, 2023..



5. As per the prosecution case, the petitioners are accused of assaulting the informant because of land dispute.

6. It has been submitted by the learned counsel for the petitioners that the petitioner nos. 2 and 3 are innocent and they have falsely been implicated in this case. He further submits that there is general and omnibus allegation against the petitioner nos. 2 and 3.

7. Considering the aforesaid facts, this application is partly allowed with regard to petitioner nos. 2 and 3 only.

8. Let the petitioner nos. 2 and 3 above named, in the event of their arrest or surrender before the concerned Court below within four weeks from today, 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 Principal District and Sessions Judge, Siwan/concerned Court below in connection with Panchrukhi P.S. Case No. 164 of 2025, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

(Sandeep Kumar, J)

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