

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.552 of 2026

Arising Out of PS. Case No.-198 Year-2025 Thana- PANDAUL District- Madhubani

1. Monu Thakur @ Monu Kumar S/o Mohan Kumar @ Mohan Thakur @ Mohan Sharma Resident Of Village- Shankar Saray, (Padmaul), P.s- Padmaul, Dist- Madhubani
2. Mohan Thakur @ Mohan Sharma S/o Late Chulhai Thakur Resident Of Village- Shankar Saray, (Padmaul), Ps- Padmaul, Dist- Madhubani
3. Lalita Devi W/o Mohan Thakur Resident Of Village- Shankar Saray, (Padmaul), P.s- Padmaul, Dist- Madhubani
4. Kamaldeo Thakur @ Kamal Deo S/o Late Chulhai Thakur Resident of Village- Shankar Saray, (Padmaul), Ps- Padmaul, (Pandaul), Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Majid Mahboob Khan, Advocate
For the Opposite Party/s :	Ms.Sharda Kumari, APP
For the informant :	Mr.Ratan Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 02-04-2026 Heard Mr. Majid Mahboob Khan, learned counsel appearing on behalf of the petitioners; Ms. Sharda Kumari, learned APP for the State and Mr. Ratan Kumar Jha, learned counsel for the informant.

2. The petitioners seek pre-arrest bail in connection with Pandaul P.S. Case No. 198 of 2025 registered for the offence(s) punishable under Sections 126(2),115(2),118(1),109,74,352,303(2),351(2),3(5) of the BNS.



3. As per the allegation made in the FIR, the accused persons named therein including the petitioners assaulted the informant with a common intention to kill, causing injuries. Specific allegation against Monu Thakur (petitioner no.1) and Mohan Thakur (petitioner no.2) is that they have assaulted the informant on his head by means of *farsa* and *Dabiya* respectively. Further allegation is that the accused persons also assaulted and outraged the modesty of the wife of the informant.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioners are innocent and they have falsely been implicated in the present case. There is case and counter case between the parties. The injury sustained by the injured is simple in nature. General and omnibus allegation has been alleged against the petitioners no.3 and 4 and against petitioners no.1 and 2, the allegation is ornamental in nature.

5. *Per contra*, learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and the evidence which has come in course of investigation, it appears that there is only minuscule evidence against the **petitioners no.2 and 4 and as such, the petitioners,**



above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani / Concerned Court in connection with Pandaul P.S. Case No. 198 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedent of the petitioners no.3 and 4 and if it is found that the petitioners no.3 and 4 are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

8. **So far as petitioners no.1 and 2 are concerned**, against whom there is specific allegation that they had assaulted the informant on his head by means of *farsa* and *dabiya* respectively, causing head injuries to the informant, which is vital part of the body and no where in the bail application, the petitioners have given statement that the assault, which is attributable to them, occurred on the *spur* of the moment and also the fact that the petitioners no.1 and 2 have two criminal antecedents each, **I am not inclined to grant pre-arrest bail to**



the petitioners no.1 and 2.

9. However, the parties, who are well known to each other, if so desire, may settle their dispute amicably outside the court. In that case, they will file an appropriate application before the learned District Court.

10. The bail application stands disposed of.

(Purnendu Singh, J)

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