

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91177 of 2025

Arising Out of PS. Case No.-103 Year-2023 Thana- HAYAGHAT District- Darbhanga

Chand Nadaf @ Md. Chand Baby Son of Late Jabbar Nadaf Resident of
Village - Nayatola Hayaghat Bilashpur, P.S.- Hayaghat, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Kant, Adv.

For the Opposite Party/s : Mr.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-01-2026 Heard the parties.

2. The petitioner apprehends his arrest in connection with Hayaghat P.S. Case No. 103 of 2023, registered for the offences punishable under Sections 341, 323, 308, 354, 504 and 506/34 of the Indian Penal Code.

3. Allegedly, in the morning of the fateful day, while the informant came out of her home, in the meanwhile, her elder son started abusing. when the same was protested, it is alleged all the FIR named accused persons, including the petitioner, came there and started abusing and assaulting. It is specifically alleged that co-accused Md. Rahim, who is younger son of the informant assaulted the injured Md. Rahman over his head whereas the daughter-in-law of the petitioner assaulted the daughter of the informant over her head due to which she



sustained head injury. There is omnibus nature of allegation against other accused persons, including the petitioner.

4. Learned Advocate for the petitioner referring to the FIR contended that in fact on account of a family feud, all the family members entered into a scuffle resulting into some unfortunate injury. Moreover, there is omnibus nature of allegation against the petitioner and others. The alleged incidence took place on 19.06.2023 and for the first time, the *fardbeyan* was recorded on 07.07.2023 in the City Hospital and later FIR came to be instituted on 18.07.2023 but the delay has not been explained. The petitioner bears fair antecedent.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioner has also actively participated in the crime in which two of the persons have sustained serious injuries.

6. Regard being had to the submissions made on behalf of the parties and taking note of the omnibus nature of accusation against the petitioner, coupled with the delay in lodging of the FIR as well as the fair antecedent of the petitioner, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a



copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-VI, Darbhanga in connection with Hayaghat P.S. Case No. 103 of 2023, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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