

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36546 of 2025

Arising Out of PS. Case No.-78 Year-2024 Thana- PAHARKATTA District- Kishanganj

Hakimuddin @ Hakimudin S/o- Haifuddin Resident of Village- Fulhara ward
No- 3 PS-Paharkatta, Dist- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.

For the State : Mr. Anish Chandra, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 29-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 109(1), 115(2), 117(2), 118(1), 126(2), 190, 191(2), 191(3), 351(2), 352 of the BNS, 2023.

3. The allegation in the FIR is that altogether 34 named accused persons were illegally ploughing the land of the informant and when the brother of the informant protested, the present petitioner ordered to assault and kill whereupon co-accused Anwar assaulted Roshan Ali by means of axe on his head and others also assaulted his brother.

4. Learned counsel for the petitioner submits that from a bare perusal of the FIR, it would be clear that the specific allegation of assault is upon co-accused Anwar and the



petitioner, besides being a member of the mob, has also been assigned the role of an order giver. It is further submitted that there is a bona fide land dispute between the parties and proceedings under Section 144 Cr.P.C is also going on between them. It is also submitted that there is an inordinate delay in lodging the FIR which creates serious doubt about the prosecution case. It is next submitted that charge sheet has already been submitted in the present case and the petitioner is in custody since 26.02.2025 without any criminal antecedent.

5. Learned APP for the State, however, opposes the prayer for regular bail.

6. Considering the above-mentioned facts and circumstances and particularly that the specific allegation of assault is not on the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Paharkatta P.S. Case No. 78 of 2024.

(Soni Shrivastava, J)

devendra/-

U		T	
---	--	---	--

