IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48759 of 2026

Arising Out of PS. Case No.-190 Year-2026 Thana- OBRA District- Aurangabad

==========

1. Md. Tahreer @ Tahreer Ali @ Tahir S/o Zilanie Ghulam Zilani R/o Obra Tola, P.S. - Obra, Dist. - Aurangabad.
2. Md. Arman @ Zulkernain @ Julkar Nain S/o Shamsher @ Shamsher Ali R/o Obra Tola, P.S. - Obra, Dist. - Aurangabad.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Kumar Rajdeep, Adv.
For the Opposite Party/s : Mr. Narsingh Tanti, APP

==========

CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR

ORAL ORDER

3 21-08-2026 Heard learned counsel appearing on behalf of the petitioner and learned A.P.P. for the State as well as learned counsel appearing on behalf of the informant.

2. The petitioners are in custody in connection with Obra P.S. Case No. 190 of 2025, registered under Sections 190, 191(2), 115(2), 126(2), 117(2), 118(1), 118(2), 109(1), 103(1), 352, 351(2) of the BNS.

3. As per allegation in the F.I.R., It is alleged that on 15.05.2026 at about 7:00 P.M., the petitioners, along with other named and unnamed accused persons, variously armed with swords, spears, iron rods, lathis and dandas, formed an unlawful assembly and allegedly assaulted the informant and his family

WEB COPY

members. In the said occurrence, the informant, his mother, father and sister are stated to have sustained injuries. It is further alleged that the father of the informant was initially taken to the Community Health Centre, Obra, for medical treatment and, thereafter, was referred to Sadar Hospital, Aurangabad, for better and further treatment, where he subsequently succumbed to his injuries during the course of treatment.

4. Learned counsel for the petitioner submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute amongst children, the occurrence is alleged to have taken place, it is next submitted that from side of the petitioner Obra P.S. Case No. 191 of 2026 has been instituted against the informant and his side, it is also submitted that even allegation of assault is not specific. The petitioners have been in custody since 17.05.2026. It is submitted that the petitioners have no criminal antecedent. Therefore, the petitioners deserve the privilege of regular bail.

5. Per contra, learned A.P.P. appearing for the State, as well as learned counsel appearing on behalf of the informant, vehemently oppose the prayer for bail made on behalf of the

WEB COPY

petitioners. It is submitted that the prayer for anticipatory bail of one of the co-accused, namely, Md. Tanvir Aam, has already been rejected by this Court vide order dated 04.08.2026 passed in Cr. Misc. No. 45885 of 2026. It is further submitted that the father of the informant sustained injuries in the alleged occurrence and subsequently succumbed to the same. Learned counsel submits that, from a perusal of the allegations contained in the F.I.R., it would prima facie appear that several members of the informant's family, including his father, were assaulted by the named accused persons, including the present petitioners. It is fairly submitted that the allegation of assault attributed specifically to the petitioners are not very specific, nevertheless, considering the death of the informant's father and the fact that the investigation is still in progress and the charge-sheet has not yet been submitted, the petitioners do not deserve the privilege of bail at this stage. It is lastly submitted that, in the event of grant of the privilege of bail, there is every likelihood of the petitioners attempting to tamper with the evidence and influence or intimidate the witnesses, thereby adversely affecting the course of investigation and trial.

6. Considering the submission made by learned A.P.P. appearing for the State and learned counsel appearing on behalf

WEB COPY

of the informant, as well as the facts and circumstances of the case, this Court is not inclined to extend the privilege of bail to the petitioners.

7. Accordingly, the prayer for bail made on behalf of the petitioners stands rejected.

(Girijish Kumar, J)

amit/-

U			

WEB COPY