

Md. Mosahid, 20 years, s/o Md. Matin Mansuri.....Petitioner.

Vs

State of Bihar.....Opposite Party

ORDER

30.04.2026. An application for grant of regular bail filed on behalf of above named accused petitioner namely **Md. Mosahid**, who is in custody since 27.03.2026 in connection with Industrial P.S. Case No. 75/26 registered u/Ss 126(2)/115(2)/109/352/351(2)/351(3)/3(5) of the B.N.S. pending before the learned Court of A.C.J.M.Ist, Bhagalpur, is put up for hearing.

Heard Mr. Rohit Kumar Raj, learned counsel for the petitioner as well as Mr. B.K. Sah, learned Addl. P.P. for the State.

The prosecution case, in short, is that on 25-03-2026 at about 06:30 pm altogether seven named accused persons including the petitioner herein started assaulting four persons who happen to be the maternal uncles and maternal grandfather of the informant. It is alleged that at that time while informant was standing along with her son Md. Saif(19 years) at her door, three of them including accused petitioner started pelting bricks and stones and they also indulged in assaulting informant and when informant rushed towards her house, accused Md. Aashiq and others brutally assaulted informant's son Md. Saif on his head by means of brick.

Learned counsel for the petitioner, apart from taking the pleas of innocence and false implication, submitted that both parties are neighbourers and there is case and counter case between the parties. He further submitted that Section 109 of the I.P.C is not attracted against this petitioner and prayed to enlarge him on bail on the ground of period of custody and clean criminal antecedent.

Learned Addl. P.P., on the other hand, vehemently opposed the prayer for grant of bail to the petitioner.

Heard both sides and perused the case record from which it transpires that petitioner and others are named in the F.I.R and carry allegation of brutally assaulting informant and her family members including her son Md. Saif. The injury report of Md. Saif would reveal that doctor has found one lacerated wound on forehead of size 1" x ¼" x ¼" and swelling on forehead and left hand which have been opined as simple in nature caused by hard and blunt substance. Specific allegation of inflicting brick blow on Md. Saif is levelled against Md. Aashiq who is not petitioner herein. Further, though altogether six persons are alleged to have been assaulted but there is only one injury report. Para 25 of the case diary shows accused petitioner as a man of clean criminal antecedent. Both parties are neighbourers and there is case and counter case between the parties. Moreover, petitioner is in custody since 27-03-2026. Therefore, taking into account the nature of injury, period of custody and

absence of criminal antecedent, this Court is inclined to enlarge this petitioner on bail.

Hence, the prayer for regular bail of accused petitioner namely **Md. Mosahid** is hereby **allowed**. Accused petitioner is directed to be released on bail on furnishing bail bond of **Rs. 10,000/- (Ten thousand rupees only)** with two sureties of the like amount each to the satisfaction of the learned Court below with the **conditions (1)** that one of the sureties shall be close relative of the petitioner and **(2)** petitioner shall remain physically present till framing of the charge. Petitioner will also file an **undertaking** to the effect that he will not misuse the privileges of bail, will cooperate in the trial and is directed to furnish his mobile number with direction that neither he will change the mobile number nor turn off the mobile without information to the court.

Dictated

Sd/-

(Prabhat Krishna)
IVth Addl. Sessions Judge
Bhagalpur

Date of judgment/order	30-04-2026
Date of Reserving judgment/order	-
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