

**In the Court of District & Addl. Sessions Judge , Biraul , Darbhanga.**

**Present**

**Sri Shiv Kumar  
District & Addl. Sessions Judge- Biraul**

**Biraul, dated, the 16<sup>th</sup> March, 2026**

**Bail petition No. 61/2026**

**Md. Matibul**

**.....Petitioner.**

**Versus**

**The State of Bihar**

**.....Opposite Party**

**Counsel for the petitioner :- Sri Uttam Chaupal, Ld. Advocate**

**Counsel for the State :- Sri Bachcha Rai, Ld. APP**

**ORDER**

**16.03.2026** The present bail petition has been filed on behalf of petitioner namely 1.Md. Matibul, S/o Md. Diljan, who is in judicial custody since 22.02.2026 in connection with Biraul P.S. Case No- 84/2026, for offence u/s 329(3), 126(2), 115(2), 109(1), 351(2), 352, 76, 3(5) of BNS which is pending in the Court of Ld. ACJM, Biraul, Darbhanga.

Heard Sri Uttam Chaupal, the Ld. Counsel for the petitioner and Sri Bachcha Rai, Ld. APP on behalf of the State.

The prosecution case in short is that, on 07.02.2026 at 7 AM, the son of informant namely Naiem was reached near the house of Md. Subhan all the accused in a planed way armed with lathi, danda, farsa, iron rod and garasa and vicious deadly weapons surrounded him and upon house the informant reached there then all the accused started filthy language and accused Md. Phullo ordered to kill him because he quarreled to me due to children. Upon protest by informant and his son upon the instigation of Md. Phullo committed marpit and Md. Munir hit upon the head of his son, with an intention to kill by iron rod which caused injury and fallen down unconsciously. To save him mother, wife and other family members came to whom Md. Matibul, Md. Annu brutally assaulted her. All by abusing threatened if any

complaint is made they shall be killed them. His son was badly injured so he was admitted in Biraul, PHC from where he was referred to DMCH for better treatment.

The Ld. Counsel for the petitioner submits that the petitioner has not committed any offence and he is quite innocent. The petitioner has falsely been implicated in this false due to enmity and out of grudge. For that the above named petitioner who is in judicial custody since 20.02.2026 and sufficiently punished of offence that he has not committed. That no such occurrence did ever take place as alleged in FIR. That petitioner has no criminal antecedent. For that all the alleged offence are bailable save and except 109(1), 76 of BNS which is not attracting at all. That the case has been compromised in between the parties. For that the petitioner is man of means and not likely to abscond and is ready to furnish the bail bonds to the satisfaction of the court, as such there is no chance of their absconding. So, it is prayed that accused person may be enlarge on bail.

On the other hand Ld. APP appearing for the State opposed the prayer for bail of the petitioner.

Heard, Submissions of both parties and perused the record and considering the discussion made above. The petitioner accused has been remanded on 20.02.2026 on the basis of the petition filed by the I.O., the petitioner has no any criminal antecedent as stated by the Ld. Counsel for the petitioner. From the perusal facts it seems that the case has been compromised in between the parties. The informant of this case present in the court supported the factum of compromise. Therefore considering the compromise, submissions made by the Ld. counsel for petitioner, and the facts as well as other facts and circumstances of the case, the present bail petition filed on behalf of petitioner namely 1.Md. Matibul, S/o Md. Diljan, BP is hereby **Allowed**. 1.Md. Matibul, S/o Md. Diljan is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(Rs. Ten Thousands/-) with two sureties of the like amount each to the satisfaction of the court in connection with Biraul P.S. Case No- 84/2026.

**(Dictated and Corrected)**

(Shri Shiv Kumar)

District & Addl. Sessions Judge  
Biraul  
16.03.2026