

IN THE COURT OF AMIT KUMAR, ADDL. SESSIONS JUDGE V, JAMUI

-----**(B.A. No. 269/2026)**-----

Arising out of Simultala P.S. Case No. 73 Year 2025, District-Jamui

Md. Mumtaz Vs. State of Bihar

For Petitioner : Ld. Counsel Sri. Manoj Kumar Paswan.

For The State : Ld. Addl.P.P. Sri. Sanjiv Kumar Singh.

Date of order : 14.05.2026

1. The present regular bail application has been filed on behalf of the accused petitioner namely **Md. Mumtaz, S/o Islam Miyan, aged about 42 years, R/o Vill-Siyatad, P.S.- Simultala, District-Jamui**, who is languishing in jail custody since 08.04.2026 in connection with Simultala P.S. Case No. 73 Year 2025 registered u/s 191(2), 190, 126(2), 115(2), 118(1), 110, 329(4), 303(2), 74, 352, 351(2) and 109(1) of the B.N.S.

2. The prosecution case in brief is that informant Rupa Devi alleges that on dated 05.08.2025 when she with her family members was at her house, accused persons namely Md. Mukhtar @ Bhutta, Md. Mumtaz, Md. Sahil, Md. Mustak, Md. Kabir, Md. Imamul, Md. Abbas and Md. Tinku together with 15-20 unknown persons having armed with Lathi-Danda and sharp weapons came before her house and started abusing. Meanwhile accused namely Md. Mukhtar @ Bhutta assaulted on the head of informant's husband namely Deepak Kumar Barnwal with Tangi due to which he sustained injury and fell down on the ground. Accused Md. Mumtaz assaulted informant's Dever namely Raju Barnwal on his head with sharp weapon due to which he also sustained injury and fell down on the ground. Thereafter all the accused persons entered into informant's house and accused Md. Sahil looted away silver jewelry and accused Md. Mustak looted away 23-24 thousand rupees and accused Md. Kabir manhandled the informant and Sobha Devi. It is further alleged that accused persons namely Md. Imamul and Md. Abbas assaulted Arjun Barnwal with lathi. Accused Tinku also assaulted informant Bhaisur and son of her dever with lathi. All the accused persons also threatened to kill. On the basis of above, FIR was registered against the accused persons.

3. Learned counsel for the petitioner submitted that petitioner is quite innocent and has committed no offence and has falsely been implicated in this case. No other bail application is pending against the petitioner in any court except the present one. The petitioner has no criminal antecedent. The matter of fact is that brother of petitioner was brutally beaten by the informant and his associates due to which his brother became injured and the petitioner went at the place of occurrence and got admitted his brother in government hospital and only due to that annoyance his name has been implicated in this case. The petitioner is resident of Siyatand and the place of occurrence is at Telwa Bazar. The informant has lodged this case to

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save herself from the Simultala P.S. Case No. 74/2025. The petitioner is in custody since 08.04.2026, therefore, it is prayed to enlarge the petitioner on regular bail.

4. On the other hand, learned Addl. P.P. vehemently opposed the prayer for bail.

5. Heard both parties in detail and perused the record.

6. The present FIR has been registered for offence punishable, under sections 191(2), 190, 126(2), 115(2), 118(1), 110, 329(4), 303(2), 74, 352, 351(2) and 3(5) of the B.N.S. The re-statement of informant has been recorded vide para no. 2 of the case diary and statement of witnesses have been recorded vide para no. 9, 10, 11, 21 and 22 of the case diary. Injury reports of injured persons namely Savita Devi, Rupa Devi, Ayush Kumar is also mentioned in the case diary.

7. Perusal of record reflects that though the petitioner is named in the FIR and there is allegation of assault against him, however from perusal of record it further reflects that there happened scuffle in between the parties against which case and counter case were lodged. The injury report of injured persons namely Deepak Barnwal, Raju Barnwal, Savita Devi, Rupa Devi and Ayush Kumar have been opined as simple in nature. The petitioner is languishing in jail custody since 08.04.2026.

8. Considering aforesaid facts and circumstances of the case and taking into consideration, the nature of general allegation against the petitioner coupled with period of incarceration, the regular bail petition of the petitioner namely **Mumtaz, is hereby allowed**. He is directed to be released on bail by furnishing bail bond of Rs. 10,000/- with two sureties of like amount each to the satisfaction of learned trial court, subject to the conditions as laid down u/s 480(3) of the B.N.S.S.

9. O/C is directed to send back lower court record, if any, along with a copy of this order to the court concerned for needful.

Dictated

Sd/-

Addl. Sessions Judge - V, Jamui

Copy forwarded to the court concerned

Addl. Sessions Judge - V, Jamui