

**IN THE COURT OF SESSIONS JUDGE,
KAIMUR AT BHABHUA
(BP No. 206/2026/ Filing No.2859/2026)**

In re:

- 1.Naushad Alam, aged 23 years,
S/o Nijamuddin,
R/o Vill-Mujhai, P.S-Chainpur, Dist-Kaimur (Bhabua)

V/s
STATE

**(And)
(BP No. 286/2026/ Filing No.3975/2026)**

In re:

1. Erfan Ali, aged 22 years,
S/o Nijamuddin,
2. Samsu Ali, aged 20 years,
S/o Nijamuddin,
Both R/o Vill-Mujhai, P.S-Chainpur, Dist-Kaimur (Bhabua)

V/s
STATE

**FIR No: 143/2026
P.S : Chainpur
U/s: 126(2),115(2),118(1),74,109,
352,324(4),351(2),351(3),3(5) BNS
In J.C: 27.03.2026 & 25.04.2026
Date Of Order: 27.05.2026**

-
1. Heard Md. Firoz Alam, learned counsel appearing on behalf of the accused/petitioners and Sh. Sachidanand Rai, learned P.P. for State.
 2. Petitioners have stated in para 2 of their bail petition that no other bail petition, either anticipatory or regular has been filed/pending except this, either in this court or before Hon'ble High Court at Patna.

3. Denying the allegations and alleging false implication, it is submitted on behalf of the petitioners that the informant and petitioners are cousins and this case is the outcome of differences cropped up between the parties on trivial issues, moreover, no there is no specific allegations of overt act against the petitioners.
4. Learned PP has opposed the prayer for granting bail to the petitioners.
5. Heard the arguments of both the parties and perused the case record. It transpires from the persual of record that petitioners are FIR named and in judicial custody since 27.03.2026 and 25.04.2026 respectively. Allegations against them as per FIR are that on dated 26.03.2026 at around 09:00PM, the minor daughter of brother of informant went outside the house and co-accused misbehaved with her and when informant inquired about the incident with these petitioners, they along with other FIR named accused started abusing the informant and thereafter, assaulted the informant and his family members in which the brother of informant received serious head injuries and other members also injured in the scuffle. The post mortem report of the brother of informant is attached with case diary showing U shape stitched wound of 30 cm with 21 stitches wound started on forehead, 6 cm above root of nose in midline and goes back in midline on skull than bent on left side and again bent arterially above left ear and ends 2cm above and from of left ear. On opening scalp contusion over all scalp with fracture of frontal and right parietal bone and surgical fracture of frontal and left parietal-temporal and occipital bones on opening skull extradural and subdural hematoma present and another stitched wound of size 2 cm with 4 stitches over left side forehead, 3 cm above left eyebrow and another stitches would of size 3 cm with 3 stitches on right side of head, 12 cm above right ear in a line joining two ears, left side of forehead and right side of head and cause of death is coma as a result of head injury which is ante mortem in nature. It is submitted on behalf of petitioners that both informant and petitioners are as a brother and a quarrel was occurred between them on the date of occurrence for which cross case is lodged by them against each other and both sides have received injuries. It is further submitted that the brother of informant was died during the course of treatment. It is further submitted that as per FIR there is allegation of showing brick and stone from the roof of against the petitioners which caused head injury to the brother of informant. It is further submitted that no specific overt act is mentioned against any how these petitioners either in FIR or the statement of witnesses mentioned in case diary. Petitioners have no antecedent para 43 of case diary.

6. Considering the aforesaid facts and circumstances coupled with period of custody undergone, this bail petition is **allowed** and the petitioners are directed to be released on bail on their furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties with like amount each to the satisfaction of the trial court.

Sd/- Anurag
Sessions Judge