

IN THE COURT OF SESSIONS JUDGE, MUNGER

BAIL APPLICATION No.- 1303/2026

Md. Tabrez @ Hero Vs. The State of Bihar
Muffasil P.S. Case No. 417/2025

18.07.2026

1. The present bail application has been preferred by petitioner **Md. Tabrez @ Hero**, S/o- Md. Jamil @ Jammo, who is lying in judicial custody since 04.06.2026 in connection with Muffasil P.S. Case No. 417/2025 u/ss 115(2), 126(2), 303(2), 109, 118(1), 324(4), 352, 351(2) and 3(5) of BNS pending in the Court of Ld. C.J.M., Munger.

2. The informant has alleged that on 24.11.2025 while he was returning after completing the work from Nirman Medical College, Banka all the accused persons including the petitioner armed with pistol, katta and iron rod with an intention to kill assaulted him and threw him into a drain as a result of which he suffered injuries. He further alleged that all the accused persons also snatched away some jewellery items, cash of Rs 18,000/- and a mobil phone. Hence the information, based on which the above stated P.S. case was registered.

3. At the outset the Id. Counsel for the petitioner has certified that previously an anticipatory bail application filed on behalf of the petitioner was rejected by this Court vide order dated 06.02.2026 in A.B.A. No. 1683/2025. Thereafter the prayer of the petitioner for pre-arrest bail was rejected by the Hon'ble High Court, Patna vide order dated 12.03.2026 in Cr. Misc. No. 15275/2026 and except this no any other anticipatory or regular bail has been filed on behalf of the petitioners before this Court or before any other Court including the Hon'ble High Court. He also certified that **the petitioner has two criminal antecedents in which he is on bail**. He further submits that the petitioner is innocent and has not committed any offence and further that he has been falsely implicated in the present case. That no case u/s 109, 118(1), 303(2) of BNS is made out against the petitioner. That there is an unexplained inordinate delay of 3 days in lodging the F.I.R. That there are no specific allegations of assault against the petitioner. That the present petitioner is lying in judicial custody since 04.06.2026. Therefore the Ld Counsel

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pleads that the present petitioner be enlarged on bail.

4. The Ld. PP has opposed the bail application of the petitioner.

5. Heard the submissions of respective Id. Counsels and perused the record of the case.

6. From perusal of the case record, it appears that three witnesses have been examined u/s 161 Cr.P.C in the case. That some of the co-accused persons have already been granted the privilege of anticipatory bail by the Hon'ble High Court, Patna vide order dated 08.07.2026 in Cr. Misc No. 44909 of 2026. From the injury report, it is apparent that the injuries are simple in nature caused by hard and blunt substance. That the present petitioner is lying in judicial custody since 04.06.2026.

7. Hence, considering the nature of allegations and in the totality of the facts and the circumstances, this bail application is hereby **Allowed**. Therefore, the petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the Learned Trial Court **with conditions that one of the bailors shall be family member of the petitioner and that the petitioner shall file an undertaking that he will not tamper with any of the evidences or influence any of the witnesses of the case and that he shall remain physically present before the Ld. Trial Court on each and every date.**

Dictated

(ALOK GUPTA)
Sessions Judge, Munger
Dated:- 18.07.2026