

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13543 of 2025

Arising Out of PS. Case No.-270 Year-2024 Thana- SONBERSA District- Sitamarhi

Md. Lalbabu @ Lal Babu @ Md. Zulfeqar Alam @ Julfekar Alam S/O Late
Tajammul Hussain @ Md. Tajammul @ Shekh Tajjamul R/O Village-
Mobarakpur, P.S- Sonbarsa, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abu Nasar
For the Opposite Party/s : Mr. Ram Anurag Singh
Mr. Kumar Prabhakar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 12-05-2025 1. Heard learned counsel for the petitioner, the learned counsel appearing on behalf of the informant and learned APP for the State.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 191(2),115(2),118,109,76,352 and 351 of the Indian Penal Code.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of one case and the informant alleges that on 26.08.2024 at 1.30 P.M., the named accused persons including the petitioner came and Safdar Ali gave orders to kill and thereafter, Safdar assaulted by sword causing injury on finger of the informant, thereafter repeated the blow with sword causing injury on head. Further, Momina Khatoon assaulted by rod causing



fracture of hand, Md. Ishteyaque assaulted Neyaz by an iron rod causing injury on head and ribs, thereafter petitioner assaulted Md. Nishad by rod causing fracture of left hand. Further, Md. Mazhar assaulted Md. Shazzad with rod causing injury on head. It is next alleged that Safdar assaulted Md. Faiji by rod causing injury on head and the skull got depressed and he became unconscious. Further, Afsana Khatoon assaulted Md. Mahtab by rod on hand and Nikkhat assaulted Sabrina while Nikkhat and Saina assaulted Fatima by rod causing two injuries on head, thereafter Naima assaulted Md. Paigam with rod causing injury on elbow and Md. Ishtiyaque acted inappropriately with Sabrina.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from side of the petitioner Sonbarsa P. S. Case No. 258 of 2024 has been instituted against the side of the informant and others in which four persons from the side of the petitioner have received injuries. The learned counsel further submits that no doubt, allegation against this petitioner is of assaulting Md. Nishad by rod causing fracture of left hand, but then, the blow was not repeated and is not on vital part of the body. It is also submitted that four persons from the side of the petitioner also received injuries. It is next submitted that no doubt, the injury is opined to be grievous, but then, it is on non-vital part



of the body and the blow was not repeated.

5. Learned counsel for the informant as well as learned A.P.P. opposes the anticipatory bail application, but then, the opposite party no.2 is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that Sonbarsa P. S. Case No. 258 of 2024 has been instituted from the side of the petitioner in which four persons from the side of the petitioner also suffered injuries and that blow was not repeated and is not on vital part of the body.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sitamarhi in connection with Sonbarsa P. S. Case No.270 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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