

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21489 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- ISLAMPUR District- Nalanda

1. Md. Manan S/O Abdula Rahman R/O Village- Herthu, P.O- Khodaganj, P.S- Islampur, Distt.- Nalanda, Bihar.
2. Md. Neyaz Alam S/O Md. Manan Alam R/O Village- Herthu, P.O- Khodaganj, P.S- Islampur, Distt.- Nalanda, Bihar.
3. Inayat Humair @ Md. Inayat Humair S/O Md. Shakir Ahmad R/O Village- Herthu, P.O- Khodaganj, P.S- Islampur, Distt.- Nalanda, Bihar.
4. Md. Shakir Ahmad S/O Md. Humair Ahmad R/O Village- Herthu, P.O- Khodaganj, P.S- Islampur, Distt.- Nalanda, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Harsh Vardhan, Advocate
For the Informant	:	Mr. Nazir Alam, Advocate
For the Opposite Party/s	:	Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-04-2025 Heard Mr. Harsh Vardhan, learned counsel appearing on behalf of the petitioners; Mr. Nazir Alam, learned counsel for the informant and Mr. Pradeep Narain Kumar, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Islampur P.S. Case No. 19 of 2025 registered under Sections 191(2), 191(3), 190, 126(2), 115(2), 117(2), 109, 352, 351(3) of the B.N.S.

3. As per the allegation made in the FIR, due to enmity the petitioners, along with other persons, brutally assaulted the informant and his family members.



4. Learned counsel appearing on behalf of the petitioners submitted that there is case and counter case between the parties. The petitioners' side, in their self-defense, may have caused some injuries on the person of the informant and his family members, in which, the father of the informant has sustained injuries, which is not on the vital part of the body. On these grounds, the petitioners seek to be released on bail.

5. Mr. Nazir Alam, learned counsel appearing on behalf of the informant submitted that the petitioners have brutally assaulted the informant and his family members, with a common intention, due to which, the informant and his father sustained grievous injuries. As such, the prayer for anticipatory bail is fit to be rejected.

6. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail and has supported the argument of learned counsel appearing on behalf of the informant.

7. Having considered the rival submissions made on behalf of the parties, as well as, the fact that there is case and counter case between the parties, in which, the informant have sustained grievous injuries on his head and the injury sustained by the father of the informant is not on the vital part of the body



and the same may have been caused in self-defense, I am of the opinion that the petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

8. The learned District Court is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each, to the satisfaction of learned A.C.J.M.-I, Hilsa (Nalanda) in connection with Islampur P.S. Case No. 19 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S. of 2023.

9. The learned District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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