

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32660 of 2025

Arising Out of PS. Case No.-82 Year-2025 Thana- BEGUSARAI TOWN District- Begusarai

1. Md. Jashim @ Md. Jasim Ansari @ Md. Jasim S/o Late Alam Saheb @ Late Md. Alam Saheb @ Md Late Alam @ Late Md Alam @ Md Alam R/o Village- Harrakh Ward No 13, PS- Town, District- Begusarai
2. Md. Monu @ Monu @ Md. Aabid Akram S/o Md. Shafique @ Md. Safik R/o Village- Harrakh Ward No 13, PS- Town, District- Begusarai
3. Md. Shafique @ Md. Safik S/o Late Alam Saheb @ Late Md. Alam Saheb @ Md. Late Alam @ Late Md. Alam @ Md. Alam R/o Village- Harrakh Ward No 13, PS- Town, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sandip Kumar Gautam, Adv.
For the Opposite Party/s	:	Mr.Nand Kishore Prasad, APP
For the informant	:	Mr.Shubhesh Pandey, Adv. Mr.Amit Kr. Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners are apprehending arrest in connection with Begusarai Town P.S. Case No. 82 of 2025 registered for the offences punishable under Sections 127(1), 115(2), 109, 117(2), 353, 351(2), 3(5) of B.N.S., 2023.

3. As per prosecution case, petitioners and others came with iron road and *danda* in their hands and they were not ready to obey the terms and conditions of the Panchayati. It is alleged that petitioners and others assaulted the informant Md. Ejaj over his head by means of *danda* and iron rod, as a result of which he sustained injuries. It is alleged that during treatment



informant was given 18 stitches on his head.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the first information report and they have been falsely implicated in this case. It is submitted that both parties are engaged in the business of selling and purchasing cattle and the aforesaid incident has taken place in connection with the said business of cattle. The entire disputes centers around the petty dispute with regard to cattle. Learned counsel submits that it is mentioned in the impugned order that there is one head injury which is closed lacerated wound on left parietal about 3 cm to 0.5 cm and final impression report shows no significant abnormality. Though there is allegation that informant sustained 18 stitch wound on head, but the same is not supported by the injury report, which questions the authenticity of the prosecution story. There is case and counter case between the parties for the same date of occurrence and free fighting cannot be ignored. There is no specific allegation against any of the petitioners. Petitioner bears no criminal antecedent.

5. The learned counsel for the informant and the learned A.P.P. for the State vehemently oppose the prayer for anticipatory bail of the petitioners and submitted that there is



allegation that petitioners and others have assaulted the informant and the injury is on the head which is a vital part of the body, and hence, petitioners do not deserve to be granted the privilege of anticipatory bail.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides, keeping in view clean antecedent of petitioners, there is no specific allegation against any of the petitioner and the injury report does not support the allegations levelled in the F.I.R., there is case and counter case between the parties and also taking into consideration the material available on record, the petitioners, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in connection with Begusarai Town P.S. Case No. 82 of 2025, subject to the conditions as laid down under section 482(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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