

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38926 of 2025

Arising Out of PS. Case No.-107 Year-2024 Thana- PAHARKATTA District- Kishanganj

1. Shaukat Ali @ Md Shaukat Ali S/O Imam Hussain
2. Mukhtar S/O Shaukat Ali @ Md Shaukat Ali
Both residents of Fulbari, Police Station- Paharkatta, Dist.- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Singh, Advocate
For the Opposite Party/s : Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 21-11-2025 Heard Mr. Dilip Kumar Singh, learned counsel
appearing on behalf of the petitioners and the learned APP for
the State.

2. Petitioners seek pre-arrest bail in connection with
Paharkatta P.S.Case No.107 of 2024, registered for the offences
punishable under Sections 126(2), 115(2), 118(1), 109(1), 74,
352, 351(2) and 3(5) of BNS, 2023.

3. As per the allegation made in the FIR, the
petitioners along with the other co-accused persons assaulted the
husband of the informant and one Md. Nazim with an intention
to kill them, in which both of them sustained injuries.

4. Learned counsel appearing on behalf of the
petitioner submitted that a scuffle took place between the



parties and the husband of the informant fell down on the road, due to which he sustained injuries. Both the parties are neighbours. No specific allegation has been alleged against the petitioners. The injuries sustained by the husband of the informant is simple in nature, while the injuries of Md. Nazim is grievous. Learned counsel in paragraph no.3 of the bail application has submitted that the petitioner no.1 has three criminal antecedents while the petitioner no.2 has no criminal antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the nature of allegation made in the FIR that the injuries sustained by the husband of the informant is simple in nature and in want of any specific allegation, petitioners are directed to be released on pre-arrest 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 ACJM IIIrd, Kishanganj/concerned court, in connection with Paharkatta P.S.Case No.107 of 2024, subject to conditions



as laid down under Section 482(2) of BNSS of 2023.

7. The learned district court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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