

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43124 of 2025

Arising Out of PS. Case No.-121 Year-2025 Thana- AMAUR District- Purnia

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1. Ismail @ Md. Ismail, aged about 55 years/Male S/o- Late Mustafa R/o Village- Mahingaon W.No-11, Ps- Amour Dist- Purnea
 2. Imtiyaz, aged about 24 yrs. S/o- Ismail R/o Village- Mahingaon W.No-11, Ps- Amour Dist- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Firoz Alam S/O Late Sajjad Alam R/O Vill Mahingaon Ward No 11 P.S. Amour Dist Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mazher Alam, Advocate
For the Opposite Party/s	:	Mr. Rajendra Singh, APP
For the informant	:	Mr. Sufiyan, Adv.
		Mr. Thakur Brajesh Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 15-10-2025 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with Amour PS. Case No. 121 of 2025 dated 25-03-2025, instituted under Sections 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2) and 3(5) of the BNS 2023.

3.The allegation against the petitioners is that they illegally encroached on the informant's land and brutally assaulted the informant's brother. It is further alleged while assaulting, petitioner no. no.2 allegedly snatched Rs. 7,000 from



the pocket of the informant.

4. Learned counsel for the petitioners submits that the petitioner are innocent and they have been falsely implicated in this case. It is further submitted that the specific allegation of inflicting a *Dabiya* blow causing grievous injury to Md. Tabrez, the brother of informant, is attributed against the co-accused, Ashfaque. There are no specific allegations of assault against the petitioners. The only allegation against petitioner no. 1 is that he is the order-giver behind the occurrence. Lastly, it is submitted that the petitioners have no criminal antecedents.

5. On the other hand, learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for bail and submitted that petitioner no. 1 is alleged to be the order giver behind the occurrence.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM Purnea, in Amour PS. Case No. 121 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya



Nagarik Suraksha Sanhita 2023.

7. The application stands allowed.

(Khatim Reza, J)

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