

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48169 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- BALIA BELON District- Katihar

1. Md. Imtiyaz @ Md. Intiyaz son of Late Atabul Resident Of Village -Raiyapur Police Station- Balia Belon District- Katihar
2. Md. Mahtab Alam @ Mahtab Son of Md. Mahfooz Resident Of Village -Raiyapur Police Station- Balia Belon District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the State : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail, apprehending their arrest, in connection with Balia-Belon P.S. Case No. 08 of 2025 dated 21.01.2025, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 351(2), 352, and 3(5) of the B.N.S., 2023.

3. As per allegation, there was altercation between the informant and accused side, resulting into simple injuries on three persons on the informant side.

4. Ld. counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this



case. He further submits that as a matter of fact, there was altercation in which both sides got injuries and case and counter case have been filed. The counter case filed by the petitioners' side bears Balia-Belon P.S. Case No. 10 of 2025. He further submits that the alleged injuries caused on informant side are simple in nature.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioners have no criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the case and counter case and simple nature of injuries, **this petition is allowed**, directing the petitioners, above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Balia-Belon P.S. Case No. 08 of 2025,



subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedent, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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