

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48575 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- SIKTI District- Araria

1. Shoukat @ Shoukat Alam, S/O Mohammad Seharul @ Sehrul @ Sadrul, R/O Village- Kalu Chowk, Ward No.11, Panchayat- Pararia, P.S- Sikty, Distt.- Araria.
2. Rais @ Rayees Alam, S/O Alauddin, R/O Village- Kalu Chowk Ward No.11, Panchayat- Pararia, P.S- Sikty, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar Rana, Advocate
For the State	:	Mr. Shailendra Kumar, APP
For the Informant	:	Mr. Anamul Haque, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 12-11-2025 Heard learned Advocate for the petitioners and the learned APP for the State as well as learned Advocate for the informant.

2. The petitioners are apprehending their arrest in connection with Sikti P.S. Case No. 53 of 2025 registered for the offences punishable under Sections 191(2), 191(3), 126(2), 115(2), 76, 109, 303(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Allegedly, on the fateful day, the accused persons were forcibly constructed the house over the land of the informant and when the same was protested, all of them armed with *Lathi*, *Sword*, *Farsa* and Iron rod came there and started



breaking the tap and assaulted the informant. It is further alleged that when the wife of the informant, brother and nephew came to his rescue, the accused persons also assaulted them. It is specifically alleged that co-accused Saihrul assaulted the wife of the informant, who sustained serious injuries and further petitioner no.1 (Shoukat @ Shoukat Alam) assaulted Dukhwa. There is omnibus nature of allegation against the other accused persons of causing assault to the informant and his other family members.

4. Learned Advocate for the petitioners submitted that there is counter version of the present case, bearing Sikti P.S. Case No. 54 of 2025, instituted by the sister of petitioner no.1 against the informant and his family members. The specific allegation, which led to grievous injury, is levelled against Saihrul, who is not before this Court. So far the allegation levelled against petitioner no.1 of causing injury to Dukhwa is concerned, there is no injury report on record and thus it is submitted that the same is either simple in nature or who has not even been produced before the doctor. The petitioners are men of fair antecedent and they undertake before this Court that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned APP for the State and



the informant opposed the bail application and submit that because of assault being made by the petitioners and others, the informant and Dukhwa had sustained serious injuries, however, because of the fault on the part of the investigating officer, the medical report has not been placed before this Court.

6. Considering the submissions advanced by the learned Advocate for the respective parties and taking note of the fact that no specific role assigned to the petitioners, besides their fair antecedent, let the petitioners, named above, in the event of their arrest or surrender before the court below within six weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Araria in connection with Sikti P.S. Case No. 53 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioners.

7. However, before accepting the bail bonds of **petitioner no.1 (Shoukat @ Shoukat Alam)**, the jurisdictional court shall again verify the medical report/nature of the injury of



injured Dukhwa.

(Harish Kumar, J)

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