

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57287 of 2025

Arising Out of PS. Case No.-55 Year-2025 Thana- AKBARNAGAR District- Bhagalpur

1. Aftab Khan @ Appu Khan @ Md. Aftab Khan S/O Md. Riyaj @ Riyaz Khan @ Jabul Khan Resident of Village- English Chichroun, P.S.- Akbarnagar, District- Bhagalpur
2. Md. Janesar Alam S/O Anjam Ali Resident of Village- English Chichroun, P.S.- Akbarnagar, District- Bhagalpur
3. Afreen Khatoon D/O Aftab Khan @ Appu Khan @ Md. Aftab Khan Resident of Village- English Chichroun, P.S.- Akbarnagar, District- Bhagalpur

... .. Petitioner/s

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda
For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-08-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Akbarnagar P.S. Case No. 55 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 191(2), 190, 109, 74, 352, 351(2) of BNS, 2023.

3. Allegedly, on the fateful day, all the FIR named accused persons, including the petitioners, by forming an unlawful assembly entered into the house of the informant and started abusing and threatened to withdraw the previously instituted case. When the protest was made, all of them assaulted the informant and others. It is specifically alleged that



the petitioner no. 1 assaulted the cousin of the informant by means of iron rod over her head due to which she sustained serious injuries.

4. Learned Advocate for the petitioners submitted that the present case is nothing but a counter blast to Akbarnagar P.S. Case No. 54 of 2025 instituted by the petitioners' side against the informant and others. In fact, on the fateful day, on account of a trifle, both the parties have entered into a free fight resulting into injuries to the persons of both the sides, moreover the injured Sajda Khatoon was also examined by the doctor and the injury sustained over her has been found to be simple in nature. The petitioner no. 1 bears one criminal antecedent, however, the same has been instituted by the informant himself and he is now on bail in the said case; other petitioners bear fair antecedent.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application.

6. Having considered the submissions set forth by the learned Advocates for the respective parties and the factum of case and counter case, coupled with the simple nature of injury as also the genesis of the occurrence, let the petitioners abovenamed be released on bail, in the event of their arrest or



surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM 1st, Bhagalpur in connection with Akbarnagar P.S. Case No. 55 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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