

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56506 of 2025

Arising Out of PS. Case No.-626 Year-2024 Thana- ARARIA District- Araria

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1. Md. Musran Alam @ Musran Alam, S/o Md. Naiyar Alam, Resident of Village- Kharaiya Basti Ward no. 11, Police Station and District- Araria.
 2. Shahbaj, S/o Md. Mojib, Resident of Village- Kharaiya Basti Ward no. 11, Police Station and District- Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Mukesh Kumar Rana, Advocate
For the State : Mr. Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 10-12-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Araria PS. Case No.-626 of 2024, registered for the offences punishable under Sections 126(2), 115(2), 74, 117(2), 303(2), 305, 329(3), 329(4), 352, 351(2), 3(5) of the B.N.S., 2023.

3. As per allegation, the Petitioners and other co-accused came to the house of the Informant on account of old dispute and assaulted the Informant side and committed theft of some valuable articles. The injury received by the alleged victim are simple in nature as per the medical report.



4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. As a matter of fact, the Petitioners side had filed one criminal case bearing Araria P.S. Case No. 653 of 2022 against the Informant side and just to put pressure on the Petitioners side to withdraw that criminal case the informant side came to the house of the Petitioners and altercation took place between the both parties and injury was caused on both sides. The counter case filed by the Petitioners side bears Araria P.S. Case No. 627 of 2024.

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 petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the case and counter case and injury on both sides, **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 Araria PS. Case No.-626 of 2024, subject to the conditions as laid down under Section 482 (2) of the 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 antecedents, 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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