

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62702 of 2025

Arising Out of PS. Case No.-274 Year-2025 Thana- RAJNAGAR District- Madhubani

1. Md. Hasibul S/o Md. Kashim Resident of village- Kasiauna, PS- Rajnagar, District- Madhubani
2. Md. Chand @ Md. Irfan S/o Mohammad Resident of village- Kasiauna, PS- Rajnagar, District- Madhubani
3. Anwar @ Md. Anwar S/o Md. Khalil Resident of village- Kasiauna, PS- Rajnagar, District- Madhubani
4. Kurban @ Md. Kurban S/o Md. Jabbar Resident of village- Kasiauna, PS- Rajnagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Adv.
For the Opposite Party/s : Mr.Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 15-11-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Rajnagar P.S. Case No. 274 of 2025 instituted under Sections 189(2), 191(2), 191(3), 190, 126,(2), 118(1), 117(2), 109(1), 352, 351(2), 3 (5) of the BNS lodged on 01.07.2025 by the informant, Md. Rustam.

3. As per the prosecution story, the informant, namely, Md. Rustam alleged that on 01.07.2025 at 06:30 AM, when his brother along with his friends were coming towards home, the accused persons including petitioners/petitioners assaulted his brother and their friend with knife and hockey stick. Petitioner



no1, assaulted his brother with knife on his head due to which he sustained head injury and fell down. Petitioner No.3, Md. Anwar assaulted Md. Gulab with hockey stick on his head due to which he sustained head injury. Petitioner No.2, Md. Chand assaulted one Md. Arman with iron rod on his head due to which he also sustained head injury. Co-accused Md. Kasim along with petitioner no.4, Md. Kurban assaulted Md. Salim and Md. Iliyas by means of *Danda*. Accordingly, the FIR.

4. Learned counsel for the petitioners submits that the petitioners have been implicated in this case on the basis of false and frivolous allegations and they have not committed any offence as alleged in the FIR. The allegations of assault made against these petitioners are general and omnibus in nature which is said to have been sustained by the informant's brother, namely, Md. Salman and his friends. Learned counsel further submits that there is a counter version to the entire incident for which the First Information Report bearing Rajnagar PS Case No. 285 of 2025 has also been registered by the mother of petitioner no.3 and from the FIR, it would appear that the informant and his family members have also assaulted these petitioners and their family members and they have also sustained injuries upon their persons and they were also sent to



Sadar Hospital, Madhubani for further treatment. It has next been submitted that the informant and the petitioners are agnates/Gotias and residing in the same courtyard and due to some altercation between them, the incident of this kind has taken place.

5. Learned APP opposes the prayer for anticipatory bail but further concedes that the parties are agnates/Gotias.

6. Considering the nature of allegation and the injuries being simple in nature and there being counter version of the entire incident, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of six weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Rajnathnagar P.S. Case No. 274 of 2025 corresponding to G.R. No. 1593 of 2025 to the satisfaction of learned ACJM-1, Madhubani subject to the conditions as laid down under Section 482(2) of the BNSS as also the following conditions.

(i) one of the bailors should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;



(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Ajit Kumar, J)

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