

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66368 of 2025

Arising Out of PS. Case No.-416 Year-2025 Thana- GARKHA District- Saran

-
1. Md. Rizwan @ Md. Rizwan Alam S/O Mansur Alam R/O Vill.- Garkha, P.S.- Garkha, Dist.- Saran
 2. Monu Alam @ Manu Alam S/O Mansur Alam R/O Vill.- Garkha, P.S.- Garkha, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-09-2025 Heard Mr. Dhananjay Kumar Tiwary, learned counsel
for the petitioner and the State.

2. The petitioners are apprehending their arrest in connection with Garkha P.S. Case No. 416 of 2025 for the offence under sections 118(1), 115(1), 126(2), 109, 352, 351 and 3(5) of the B.N.S. lodged on 05.06.2025 by the informant, Md. Munna.

3. As per the prosecution story, the informant alleged that while he was returning from Mosque to his shop, Md. Rizwan Alam (petitioner no. 1) abused and upon protest, gave repeated knife blow on his back. Thereafter, his brother, Monu Alam (petitioner no. 2) assaulted on the head by *axe*. He was



shifted to Primary Health Center, Garkha then to Sadar Hospital, Chapra and finally to PMCH, Patna. This led to the FIR.

4. Learned counsel for the petitioners submit that it has been recorded in paragraph-9 that the injuries have been found to be simple in nature and the same also finds incorporated in the learned Sessions Judge order.

5. Learned APP opposes the prayer submitting that so far as the petitioner no. 1, Md. Rizwan @ Md. Rizwan Alam is concerned, the allegation is that he gave repeated knife blow on the back of the victim.

6. Taking into account the submissions of the parties, so far as the allegation that has come against petitioner no. 1, Md. Rizwan @ Md. Rizwan Alam, his anticipatory bail application stands rejected.

7. So far as the petitioner no. 2, Monu Alam @ Manu Alam is concerned, the allegation is there against him of causing injury on the head, the same has been found to be simple in nature as recorded in paragraph-9 of the petition, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

8. It is however made clear that the injury inflicted by the petitioner no. 2, Monu Alam @ Manu Alam shall be



ascertained and if it is found that the information is wrong, the order shall become infructuous.

9. Let the petitioner no. 2, Monu Alam @ Manu Alam be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, Saran at Chapra in connection with Garkha P.S. Case No. 416 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner no. 2, Monu Alam @ Manu Alam who shall provide official document to show his/her bona fide;

(ii) the petitioner no. 2, Monu Alam @ Manu Alam 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 his bail bond by the Trial Court itself;

(iii) the petitioner no. 2, Monu Alam @ Manu Alam shall appear before the concerned police station every fortnight for next six months to mark his attendance;



(iv) the petitioner no. 2, Monu Alam @ Manu Alam 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;

(v) the petitioner no. 2, Monu Alam @ Manu Alam shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

U		T	
---	--	---	--

