

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70457 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- SHRI NAGAR District- Madhepura

1. Md. Afroj Son of Md. Sakur Resident of Village -Mangalwara Tola Rahta, Ward No 03, P S -Srinagar, District- Madhepura
2. Md. Firoj @ Md. Firoj Alam Son Md. Sakur Resident of Village -Mangalwara Tola Rahta, Ward No 03, P S -Srinagar, District- Madhepura
3. Md. Shahnawaz Son D. Ijraile Resident of Village -Mangalwara Tola Rahta, Ward No 03, P S -Srinagar, District- Madhepura
4. Md. Sakur Son of Late Md. Jafar Resident of Village -Mangalwara Tola Rahta, Ward No 03, P S -Srinagar, District- Madhepura
5. Md. Norej Son of Md. Sakur Resident of Village -Mangalwara Tola Rahta, Ward No 03, P S -Srinagar, District- Madhepura
6. Md. Nabib Son of Md. Afroj Resident of Village -Mangalwara Tola Rahta, Ward No 03, P S -Srinagar, District- Madhepura
7. Md. Nabab @ Md. Nabab Alam Son of Md. Firoj Resident of Village -Mangalwara Tola Rahta, Ward No 03, P S -Srinagar, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 109, 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita.

3. As per written report, allegation against all the F.I.R. named accused persons, including these petitioners, is that



on 02.01.2025 at about 9 AM, they came and started demolishing the house of informant. It is alleged that co-accused Md. Nizam assaulted informant with iron rod causing injuries in both hands of the informant and when sister-in-law (*bhabhi*) of the informant came to save him, she was also brutally assaulted by petitioner no. 5. Further allegation is that on the order of co-accused Md. Ijraile, these petitioners looted cash of Rs. 10,000/- including ornaments and valuable documents. Furthermore, on the order of petitioner no. 1, co-accused Md. Sadre sprinkled petrol and petitioner no. 2 set the house of informant on fire.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. He contends that both parties are *gotiyas* and on account of property dispute, quarrel took place between the parties in which both sides sustained injuries. Case and counter case. Injuries allegedly caused by these petitioners are simple in nature. Rest of the allegations are ornamental only to make the case grave.

5. Learned A.P.P. for the State vehemently opposed the bail application and submitted that there is specific accusation against petitioner no. 2 of setting the house of informant on fire.

6. Considering the nature of accusation against



petitioner no. 2, his prayer for grant of anticipatory bail is refused.

7. However, considering the nature of accusation and injuries, **this anticipatory bail is allowed with regard to petitioner nos. 1, 3, 4, 5, 6 & 7** and it is ordered that let the above named petitioner nos. 1, 3, 4, 5, 6 & 7 in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Srinagar P. S. Case No. 1 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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