

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80726 of 2025

Arising Out of PS. Case No.-671 Year-2025 Thana- MAHUA District- Vaishali

1. Md. Noor Alam @ Noor Alam S/O Md. Ishrali R/O Village- Singhara Bujurg, Ward No. 02, Near Phatua Pull, P.S.- Mahua, Distt.- Vaishali
2. Md. Gulam Nabi @ Gulam Nabi @ Gulam Nami S/O Noor Alam @ Md. Noor Alam R/O Village- Singhara Bujurg, Ward No. 02, Near Phatua Pull, P.S.- Mahua, Distt.- Vaishali
3. Md. Mahsin @ Md. Mausin @ Mahisin S/O Mahmood Alam R/O Village- Singhara Bujurg, Ward No. 02, Near Phatua Pull, P.S.- Mahua, Distt.- Vaishali
4. Shahil Raja @ Sahil Raja S/O Mahmood Alam R/O Village- Singhara Bujurg, Ward No. 02, Near Phatua Pull, P.S.- Mahua, Distt.- Vaishali
5. Md. Irshad Alam @ Md. Chand @ Irshad Alam S/O Anwar Ali R/O Village- Singhara Bujurg, Ward No. 02, Near Phatua Pull, P.S.- Mahua, Distt.- Vaishali
6. Md. Shaukat Ali @ Md. Shaukat @ Shaukat S/O Md. Jalil R/O Village- Singhara Bujurg, Ward No. 02, Near Phatua Pull, P.S.- Mahua, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Nidhi Anand, Adv.
For the Opposite Party/s	:	Mr. Yogendra Kumar, APP
For the Informant	:	Mr. Rajeev Ranjan No. II, Adv. Mrs. Anju Kumari Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-12-2025 Heard the learned Advocate for the petitioners,

learned Advocate for the informant and the learned Additional

Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection

with Mahua P.S. Case No. 671 of 2025, registered for the

offences punishable under Sections 126(2), 115(2), 118(1), 76,

109, 324(4), 303(2), 352, 351(2) and 3(5) of the BNS.

3. Allegedly on the fateful day, while the informant



was sitting on his door, in the meanwhile, the petitioners along with 5-6 unknown persons variously armed with *lathi*, iron rod and sword came there and started abusing and assaulting. It is specifically alleged that co-accused Md. Chand has caught hold the hands of the informant, whereupon petitioner no. 2 assaulted him by means of a sword over his head due to which he sustained serious injury. There is allegation against co-accused Md. Rizwan of misbehaving with the wife of the informant, besides the allegation of snatching of valuables.

4. Learned Advocate for the petitioners submitted that in fact on account of previous enmity, both the parties have entered into a free fight, resulting into injuries to persons of both the sides, leading to institution of case and counter case bearing Mahua P.S. Case No. 692 of 2025 against the informant and others. Prior to the institution of the said occurrence, the petitioner no. 1 and the mother of the petitioner nos. 3 and 4 had also submitted application before the Sarpanch/SHO of the Mahua Police Station with a request to resolve the dispute and protect them from the informant and others. So far the injury, which is allegedly sustained to the informant and others, have been found to be simple in nature, is the contention of the learned Advocate for the petitioners.

5. On the other hand, learned Advocate for the State



and the informant opposed the pre-arrest bail application and submits that all the petitioners have actively participated in the crime and brutally assaulted the informant and others, due to which they sustained serious injury and, as such, their participation cannot be denied.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of accusation qua the simple injury, besides the fair antecedent of the petitioners and the case and counter case instituted from both the sides, let the petitioners above named 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 Additional Sessions Judge-XV, Vaishali at Hajipur in connection with Mahua P.S. Case No. 671 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)

shivank/-

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

