

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82506 of 2025

Arising Out of PS. Case No.-258 Year-2025 Thana- DIGHWARA District- Saran

1. Mardin Alam @ Faradin Alam, S/O Jahiruddin Alam, R/O Village - Shankarpur,P.S-. Dighwara,Distt.- Saran at Chapra
2. Md. Iqbal Alam, S/O Mohamad Mukhtar Alam. R/O Village - Shankarpur,P.S-. Dighwara,Distt.- Saran at Chapra
3. Bablu Kuraishi @ Makhbul Alam, Md.Salim @ Bengali Kuraishi, R/O Village - Shankarpur,P.S-. Dighwara,Distt.- Saran at Chapra
4. Sohel Alam @ Md. Irfan Alam, S/O Zahiruddin Alam. R/O Village - Shankarpur,P.S-. Dighwara,Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.

For the Opposite Party/s : Mrs. Gulnar Begum, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 17-12-2025 Heard learned Advocate appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Dighwara P.S. Case No. 258 of 2025, registered for the offences punishable under Sections 191(2), 191(3), 190, 329(3), 126(2), 115(2), 118(1), 109, 352 and 351(2) of the Bharatiya Nyaya Sanhita.

3. Allegedly, thirty three named accused persons, including the petitioners and 10-15 unknown persons assaulted



the informant and others by means of fist, slap, *lathi*, *danda* and iron rod as well as knife, due to which they sustained serious injuries.

4. Learned Advocate for the petitioners taking this Court through the FIR contended that there is omnibus nature of allegation against all the accused persons except co-accused Tanvir Alam and Imtiyaz Kuraishi, who have specifically assaulted the informant and others by means of sharp edged weapon, due to which they sustained serious injuries. The present case is nothing but a counter blast to Dighwara P.S. Case No.255 of 2025 instituted against the informant and others. The petitioners being close family member of other co-accused persons, their names have been implicated in this case; however without there being any specific allegation of overt act. Taking note of the aforesaid fact other co-accused persons who are facing identical allegation have been allowed the privilege of anticipatory bail by this Court in Criminal Miscellaneous No. 81289 of 2025 vide order dated 09.12.2025.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that besides the fact the petitioners bear one criminal antecedent, they have actively participated in the crime.



6. Regard being had to the submissions made on behalf of the parties and considering the nature of accusation, coupled with the fact that the case of the petitioners is based on parity with those who have been accorded the privilege of anticipatory bail as well as the nature of the injury is shown to be simple, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) **each** with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Saran at Chapra in connection with Dighwara P.S. Case No.258 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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