

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82495 of 2025

Arising Out of PS. Case No.-490 Year-2025 Thana- SITAMARHI District- Sitamarhi

1. Md. Aslakh @ Md. Eklakh @ Md. Akhlak, S/O Md. Ganaur @ Md. Abdul Majid, Residents of village- Bariyarpur Got, Ward- 41, P.S- Sitamarhi, Distt.- Sitamarhi.
2. Md. Istekhar Alam @ Md. Istkhar, S/O Md. Ganaur @ Md. Abdul Majid, Residents of village- Bariyarpur Got, Ward- 41, P.S- Sitamarhi, Distt.- Sitamarhi.
3. Md. Intyaj @ Md Najam @ Md. Imtiyaj, S/O Md. Ganaur @ Md. Abdul Majid, Residents of village- Bariyarpur Got, Ward- 41, P.S- Sitamarhi, Distt.- Sitamarhi.
4. Md. Sanaullah @ Md Sanaulla, S/O Md. Budhan @ Md. Rasid, Residents of village- Bariyarpur Got, Ward- 41, P.S- Sitamarhi, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aniket Kumar Thakur, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, 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 Sitamarhi P.S. Case No. 490 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 118(2), 109 and 3(5) of the Bharatiya Nyaya Sanhita.

3. The allegation against the petitioners is of causing assault to the informant and his family members leading to



serious injuries to four of the persons.

4. Learned Advocate appearing on behalf of the petitioners referring to the FIR contended that so far the allegation of inflicting a knife blow over the informant is concerned, the same has been attributed to Md. Naseem, who has also assaulted the uncle of the informant, due to which he sustained a grievous injury. The said accused is not before this Court and has taken into custody. So far the petitioners are concerned, even if the allegation is taken to be true leading to the injuries attributed against them, the same are simple in nature. In fact, on the fateful day, on account of trifle some scuffle took place, resulting into unfortunate injuries, however the petitioners undertake before this Court that they would not indulge in such activities and maintain peace. The petitioners bear fair antecedent.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submits that because of the assault being made by the petitioners & others, four persons have sustained injuries, out of which one of them has been found to be grievous in nature.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the nature of accusation against the petitioner *qua* the injuries



attributed to them, besides their fair antecedent, 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) with two sureties of the like amount **each** to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 490 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 petitioner.

(Harish Kumar, J)

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