

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6648 of 2026

Arising Out of PS. Case No.-295 Year-2025 Thana- BARARI District- Katihar

1. Md. Azad @ Azad Ali S/O Late Juber Ali R/O- Baidanda, Jangipur, P.S.- Barari, Distt- Katihar
2. Md. Ishahak @ Md. Ishaque Ali S/O- Md. Azad @ Azad Ali R/O- Baidanda, Jangipur, P.S.- Barari, Distt- Katihar
3. Maskur Alam @ Md. Mashkur Alam S/O- Md. Azad @ Azad Ali R/O- Baidanda, Jangipur, P.S.- Barari, Distt- Katihar
4. Md. Salim S/O- Sultan Ahmad R/O- Baidanda, Jangipur, P.S.- Barari, Distt- Katihar
5. Jahangir Alam S/O- Mansoor Alam R/O- Baidanda, Jangipur, P.S.- Barari, Distt- Katihar
6. Taukir Alam S/O Juran Ali @ Jurab Ali R/O- Baidanda, Jangipur, P.S.- Barari, Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunwar Ajit Singh
Mr.Sanjeev Kumar Singh
For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 04-02-2026 Heard the learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehended their arrest in connection with Barari P.S. Case No. 295 of 2025, F.I.R dated 12.09.2025 registered for the offences punishable under Sections 126(2), 115(2), 118(2), 117(2), 109, 352 and 3(5) of Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 12.09.2025



about 11:30 A.M. the informant along with his sons were fencing the land bearing Khata No-81, Khesra No.-293, area 17.4 decimal and at that time all the accused persons came with weapons in their hands and assaulted the informant and his sons due to this injuries was caused and the informant and his sons fell on the ground and thereafter all the accused persons fled away.

4. Learned counsel for the petitioners submits that the allegations against the accused persons, which are general and omnibus, and in the course of the said incident, altogether four persons are said to have been injured. In respect of three injured persons, the injury has been found to be simple, while in respect of *Noor Mohammad*, five injuries have been found, out of which one injury is grievous, which is said to have been received on the right hand caused by a hard substance, while the other four injuries are said to be simple. The petitioners are said to have a clean antecedent, and the petitioners are neighbours, and there is a case and counter case. The petitioners undertakes to maintain peace and harmony with the informant as also to abide by the terms and conditions of the anticipatory bail.

5. Learned APP for the State opposes the prayer for anticipatory bail application.



6. Considering the fact that allegations are general and omnibus and nothing specific is attributed to these petitioners. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court of C.J.M, Katihar in connection with Barari P.S. Case No. 295 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) 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/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) 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;

(iv) the petitioner(s) shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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