

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6961 of 2026

Arising Out of PS. Case No.-52 Year-2025 Thana- Bargaon District- Darbhanga

Md. Alkama @ Md. Aalkama S/O Late Masood Alam R/O Village- Bauram,
P.S- Bargaon, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Bargaon P.S. Case No. 52 of 2025 dated 06.06.2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 352 and 3(5) of the B.N.S.

3. As per the prosecution case, on account of land dispute, the named accused persons including the petitioner is said to have assaulted the informant with iron rod, lathi and danda etc. It is further alleged that the co-accused, Md. Firoz Alam armed with iron rod hit on the face of the informant while the informant's father, who came to his rescue, was struck on his head by the co-accused, Tanjeer Alam.

4. The learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case. It has further been submitted that from perusal of the F.I.R., it would be evident that there is no specific allegation of overt act alleged against the petitioner and no such occurrence as alleged has taken place in which the petitioner has participated. It has further been submitted that specific allegation of assault is on the other two co-accused. It has lastly been submitted that the petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid submissions made by the parties and taking into account the facts and circumstances of the case, the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail-bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Bargaon P.S. Case No. 52 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following



conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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