

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9676 of 2026

Arising Out of PS. Case No.-264 Year-2025 Thana- BARSOI District- Katihar

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1. Md. Sanaul @ Sk. Sanaul @ Sanaullah, S/O Late Suleman Resident of Vill.- Lahgariya, P.S.- Barsoi, District- Katihar
 2. Md. Sajid, S/O late Ansar Alam Resident of Vill.- Lahgariya, P.S.- Barsoi, District- Katihar
 3. Imran @ Imran Alam, S/O Sk. Sanaul Resident of Vill.- Lahgariya, P.S.- Barsoi, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kuar, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 24-02-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Barsoi P.S. Case No.264 of 2025 registered for the offences under Sections 126(2), 115(2), 118(1), 117(2), 109(1), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case is to the effect that the petitioners, along with others, had assaulted the informant and others with knives, swords, and other weapons. It is alleged that the petitioners had caused grievous injuries to the injured persons.



4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case and the allegations levelled in the FIR are not corroborated by the injury sustained by the injured persons. It has specifically been submitted that the person who is alleged to have caused injury by a sharp cutting weapon, the wound, is said to be lacerated near the ears of the said injured. It has been admitted that though the injuries are said to be grievous, however, they are at non-vital part of the body and for the same occurrence there was a case and countercase, and both the sides have received grievous injury. It has next been submitted that a partition suit is already pending between the parties and the informant's side has already been granted bail after surrendering by the learned Trial Court itself. It has lastly been submitted that petitioner nos.1 and 2 have clean antecedents, while petitioner no. 3 has one criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have opposed the prayer for anticipatory bail and have stated that there is specific allegations of assault against these petitioners and two of the injuries are said to be grievous.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties and



taking into account the fact that there is a case and countercase for the same occurrence and the injuries sustained by the injured were on the non-vital part of the body, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each 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 Barsoi P.S. Case No.264 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 B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioners shall be their close relative.
- (ii) The petitioners shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.
- (iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it



is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

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

(Sourendra Pandey, J)

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