

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18283 of 2026

Arising Out of PS. Case No.-173 Year-2025 Thana- MAINATAND District- West Champaran

1. Amardin Mian Son of Maunaddin Mian Both Resident of Village - P.S. - Mainatand, Dist. - West Champaran
2. Mauladdin Mian Son of Late Mohammad Mian Both Resident of Village - P.S. - Mainatand, Dist. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sujeet Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-05-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 303(2), 74, 351(2), 352 and 3(5) of the BNS, 2023.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that on 21.08.2025 at 08:00 PM, Ashraf son of Amardin Mian spat on the face of his son Aadi Mian, on protest, his son was assaulted, on alarm informant along with his wife went to save him when named accused persons including the petitioners and Anwar assaulted the informant by knife causing injury on



head, thereafter, Amardin assaulted him by *farsa* causing injury on left hand and when his wife and son came to save him, accused Ashraf, Jainab and Umambani assaulted them by rod and Anwar took out Rs. 10,000/- from his pocket and Mauladin snatched chain of his wife.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant, it is next submitted that as far as petitioner no. 2 is concerned, he is alleged to have snatched chain of the wife of the informant, but then the said allegation is ornamental. It is next submitted that petitioner no. 1 is alleged to have assaulted the informant by *farsa* causing injury on left hand, but then injury suffered by the injured has been opined to be simple in nature caused by hard and blunt substance. It is next submitted that date of occurrence is 21.08.2025 and the FIR came to be instituted on 09.09.2025 based on written application of the informant after a delay of 18 days without any plausible explanation of the delay, which also casts an aspersion on the case of the prosecution. It is further submitted that from side of the petitioners, Mainatand P.S. Case No. 163 of 2025 came to be instituted against the informant and his side, with respect to an occurrence dated 21.08.2025. It is also submitted that the



present petitioner no. 1 is the informant of Mainatand P.S. Case No. 163 of 2025 and he was inflicted with injury along with his son, on account of assault made by the side of the informant. It is further submitted that the instant FIR came to be instituted by way of a counterblast to Mainatand P.S. Case No. 163 of 2025. It is reiterated and submitted that petitioners are persons with clean antecedent and if privilege of anticipatory bail is granted, the petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the anticipatory bail application of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mainatand P.S. Case No. 173 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the



learned Trial Court bringing to its notice that petitioners despite giving assurance to this Court are not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

8. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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