

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15919 of 2026

Arising Out of PS. Case No.-502 Year-2025 Thana- MAJHAULIA District- West Champaran

1. Samse Alam S/O Saimullah Sheikh @ Sheikh Saimullah R/O Village- Madhopur, Ward No. 7, P.S.- Majhauliya, District- West Champaran
2. Kamre Alam @ Md. Kamre Alam S/O Saimullah Sheikh @ Sheikh Saimullah R/O Village- Madhopur, Ward No. 7, P.S.- Majhauliya, District- West Champaran
3. Mantajir Alam @ Samir Alam S/O Late Raiful Alam R/O Village- Madhopur, Ward No. 7, P.S.- Majhauliya, District- West Champaran
4. Alamgir Alam S/O Funna @ Manjur Alam R/O Village- Madhopur, Ward No. 7, P.S.- Majhauliya, District- West Champaran
5. Sajeed Alam S/O Funna @ Manjur Alam R/O Village- Madhopur, Ward No. 7, P.S.- Majhauliya, District- West Champaran
6. Azid Alam S/O Funna @ Manjur alam R/O Village- Madhopur, Ward No. 7, P.S.- Majhauliya, District- West Champaran
7. Arshad Alam @ Arshad Ali S/O Late Sheikh Faiyaz @ Late Faiyaz Alam R/O Village- Madhopur, Ward No. 7, P.S.- Majhauliya, District- West Champaran
8. Ansar Alam S/O Bagar Alam @ Sheikh Bagar R/O Village- Madhopur, Ward No. 7, P.S.- Majhauliya, District- West Champaran
9. Salim Alam S/O Zakir Alam @ Zakir Hussain R/O Village- Madhopur, Ward No. 7, P.S.- Majhauliya, District- West Champaran
10. Khushdil Alam @ Md. Khusdil S/O Zakir Alam @ Zakir Hussain R/O Village- Madhopur, Ward No. 7, P.S.- Majhauliya, District- West Champaran
11. Amzad Alam S/O Zakir Alam @ Zakir Hussain R/O Village- Madhopur, Ward No. 7, P.S.- Majhauliya, District- West Champaran
12. Nirale Alam @ Niray Alam @ Nirale Alam S/O Sakir Alam @ Sheikh Sheikh Sakir R/O Village- Madhopur, Ward No. 7, P.S.- Majhauliya, District- West Champaran
13. Sakir Alam @ Sheikh Sakir Hussain S/O Late Sheikh Asim @ Late Sheikh Yaseen R/O Village- Madhopur, Ward No. 7, P.S.- Majhauliya, District- West Champaran
14. Kasim Alam @ Kasim Akhtar S/O Late Akhtar Alam @ Late Sheikh Akhtar R/O Village- Madhopur, Ward No. 7, P.S.- Majhauliya, District- West Champaran
15. Rafak Alam @ Sheikh Rafak S/O Rasid Alam @ Sheikh Rasid R/O Village- Madhopur, Ward No. 7, P.S.- Majhauliya, District- West Champaran
16. Safak Alam @ Sheikh Safak S/O Rasid Alam @ Sheikh Rasid R/O Village- Madhopur, Ward No. 7, P.S.- Majhauliya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna



... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

4 20-05-2026 Heard learned counsel for the petitioners and learned APP
for the state.

2. Earlier, vide order dated 25.03.2026, the anticipatory bail application on behalf of petitioner nos. 1, 3 and 6, namely, Samse Alam, Mantajir Alam and Azid Alam has already been dismissed as withdrawn.

3. The remaining petitioners apprehend their arrest in connection with Majhauilya P. S. Case No. 502 of 2025 registered for the offences punishable under Section 190, 191(2), 191(3), 126(2), 115(2), 109(1), 303(2), 329(4), 324(2), 74 of the BNS.

4. As per the prosecution case which has been lodged on the basis of the written report submitted by the informant to the effect that on 28.07.2025 at about 10:00 AM, while she was sitting at her door, all the accused, including the petitioners herein came there and due to previous dispute, started using obscene and abusive language. The petitioner no.1 and petitioner no. 2 caught the informant with her hair and threw her on the ground, due to which she suffered severe injuries and she was also assaulted with lathi and iron rod. The petitioner no. 10 attacked her with a sword, with an intention to kill her and while trying to save herself, she sustained injury on her left hand and the blood started oozing out. After hearing the commotion,



villager Sarfaraz Alam rushed there, upon which co-accused Jamir attacked him with a knife, with an intention to kill. The allegation against the petitioner no.3 is, that he along with co-accused Amir took away cash to the tune of Rs. 45,000/- from the house of the informant. Subsequently, on 29.07.2025 at about 9 AM one Nijam Sheikh, who had helped the informant, had gone to his field, was attacked by the petitioner no.3, petitioner no. 5, co-accused Afsar, petitioner no. 8, petitioner no.1 and petitioner no.2, who assaulted him with an intention to kill. Petitioner no.3 stabbed Nijam three times on his chest with a knife and petitioner no.1 attacked him with a knife on his back, hands and legs. On halla, co-villagers Sheikh Saddam and Sheikh Nijarat arrived and intervened whereupon the remaining persons also assaulted and injured them. The injured persons were taken to CHC, Majhauria for treatment from where they were referred to GMCH, Bettiah.

5. The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case due to village politics and previous dispute. A counter case has also been lodged by the mother of the petitioner no.7 bearing Majhauria P.S. Case No.507 of 2025 against the prosecution side including the informant. He further submits that the allegations are general and omnibus against the petitioners, except petitioner no.1 and 3, whose bail petition have already been withdrawn. The allegation against petitioner no.10 is of assaulting the informant with sword, however



the injuries sustained by her does not support the case of the informant. He further submits that the present occurrence is said to have taken place in the spur of the moment and both the sides received injuries. The doctor has found one of the injuries sustained by Shiekh Saddam to be grievous in nature, however the same has not been specified on anyone, although the same is on the hand of the injured. He further submits that so far the petitioner nos. 2, 4, 5, 8, 13 and 14 are concerned, they have got clean antecedent. So far the petitioner nos.7, 9, 10, 11 and 12 are concerned, they are also accused on Majhauriya P.S. Case No. 335 of 2025 and so far the petitioner nos.15 and 16 are concerned, they are accused in Majhauriya P.S. Case No. 396 of 2025.

6. The learned APP for the State opposes the prayer for bail of the petitioners herein and submits that the injuries sustained by one of the injured has been found to be grievous in nature by the treating doctor and therefore, the petitioners do not deserve the privilege for anticipatory bail.

7. Having considered the rival submissions and after going through the records, it appears that specific allegation of assault was there against petitioner nos.1 and 3 and their bail petition has already been dismissed as withdrawn by order dated 25.03.2026. So far the allegation against the petitioners are concerned, the same are general and omnibus. Further, there is a case and counter case, which suggests that free fight occurred in between the parties due to



which both the parties suffered injuries.

8. Considering the above, let the petitioner nos. 2, 4, 5 and 7 to 16, above named, in the event of their arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Bettiah, West Champaran in connection with the Majhauriya P.S. Case No. 502 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

The learned Court concerned shall verify the criminal antecedents of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court concerned shall take steps 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.

(Ritesh Kumar, J)

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