

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17022 of 2026

Arising Out of PS. Case No.-184 Year-2025 Thana- GOVINDGANJ District- East
Champaran

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1. Sarfraj Ansari @ Sarfraj Alam S/o Azajul Hussain @ Azaz Hussain R/o Village- Radhiya Rai Tola, P.S.- Govindganj, District- East Champaran
 2. Mohammad Azam S/o Azajul Hussain @ Azaz Hussain R/o Village- Radhiya Rai Tola, P.S.- Govindganj, District- East Champaran
 3. Azajul Hussain @ Azaz Hussain S/o Langatu Miya @ Ismayal Miya R/o Village- Radhiya Rai Tola, P.S.- Govindganj, District- East Champaran
 4. Aklaku Rahman @ Sonu @ Ekhlakur Rahman S/o Nazir Miya @ Nazir Hussain R/o Village- Radhiya Rai Tola, P.S.- Govindganj, District- East Champaran
 5. Hasan Hussain @ Md. Hasan Babu S/o Muslim Ali R/o vill - Shreepur Tola Rampur, P.S.- Sugauli, Distt.- East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Asif Kalim, Advocate
For the Opposite Party/s	:	Mr. Jagdhar Prasad, A.P.P.
For the Informant	:	Mr. Mohan Kumar Tiwari, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-04-2026 Heard learned counsel for the petitioners, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 117(2), 109, 324(4), 352, 351(2) of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that on 18.07.2025 at 10:00 am he was sitting at his door



when Ejazul Hussain started demolishing his boundary wall, on objection, Ejazul called fourteen named accused persons including the petitioners and the accused persons started assaulting him, further, Hasmuddin assaulted Irfan by farsa causing injury on head, thereafter Ekhrakul assaulted Ambaya Khatoon by rod causing injury on head and Tahid assaulted Nawab by rod causing injury on head, thereafter on alarm villagers gathered and injured were taken to hospital and condition of Irfan is critical.

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 from perusal of the allegation as alleged in the FIR it would manifest that on account of dispute relating to demolition of boundary wall on the land, the occurrence is alleged to have taken place. It is further submitted that the land belongs to the side of the petitioner on which boundary wall was constructed by the informant and his side on account of which an altercation took place and both side assaulted each other. It is further submitted that from perusal of the allegation as alleged in the FIR it would manifest that no specific allegation of assault is alleged against petitioner nos. 1, 2, 3 and 5 though petitioner no. 4 is alleged to



have assaulted Ambaya Khatoon causing injury on head but then from perusal of the order impugned it would manifest that the same records the injury of the injured and has specifically recorded the name of three injured i.e., Irfan Ansari, Nawab Ali and Noor Alam and their injuries are opined to be grievous but then the order impugned does not record that Ambaya Khatoon was also injured in the occurrence, it is next submitted that as far as allegation against petitioner no. 4 of assaulting Ambaya Khatoon is alleged, the same is exaggerated. It is also submitted that petitioners are not criminals.

5. Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the petitioners.

6. Learned counsel for the informant submits that Tauhid Ansari had approached this Court seeking anticipatory bail by filing Cr. Misc. No. 17333 of 2026 and the same came to be rejected by an order dated 25.03.2026 passed by a learned Coordinate Bench on which the learned counsel appearing on behalf of the petitioners submits that Tahid Ansari is alleged to have assaulted Nawab Ali whose injured is opined to be grievous in nature.

7. Considering the submissions made by the learned



counsel for the parties and also taking into consideration the fact that petitioners are persons with clean antecedent and no specific allegation of assault is alleged against the petitioner no. 1,2,3, 5 and allegation of assault against petitioner no. 4 is exaggerated, the petitioners above-named, in the event of their arrest or surrender before the learned trial court 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 Govindganj P.S. Case No. 184 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

Gaurav Sinha/-

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