

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23240 of 2026

Arising Out of PS. Case No.-320 Year-2025 Thana- KEWATI District- Darbhanga

1. Md. Shamim Son of Late Md. Ishaque Resident of village - Rampur, P.S.- Sadar, District - Darbhanga.
2. Md. Sajjad Son of Md. Azim Resident of village - Pilakhwara, P.S.- Keoti, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 10-04-2026 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), 109, 118(1), 303(2), 352, 351(2) & 3(5) of the B.N.S.

3. The allegation in the First Information Report is that the petitioners along with others have abused and assaulted the informant and his brothers.

4. Learned counsel for the petitioners submits that it would be evident from the First Information Report itself that the incident took place out of some verbal altercation between the parties with regard to road construction which further



escalated into acts of assault. So far as the petitioner no.4 is concerned, the allegation upon him is confined to assaulting Hamid Hussain, the brother of the informant by means of cricket bat on his head, but the injury report (Annexure-P/3 series) of Hamid Hussain, indicates that there is no head injury on the said Hamid Hussain. Further, the allegation on petitioner no.2 is only that of snatching away mobile phone of the brother of the informant. It is further submitted that no one has received any grievous injury in the entire incident and there is case and counter case between the parties, who are *gotiyas*.

5. Learned APP for the State opposed the prayer for anticipatory bail on the basis of allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances and considering the fact that there is case and counter case and the dispute arose between the parties at the spur of the moment, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees 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 Keoti P.S. Case No. 320 of 2025,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha
Sanhita (BNSS), 2023, subject to the condition(s) that:

- (i) One of the bailors will be their own blood relative.
- (ii) The petitioners shall co-operate with the investigation, if not already concluded and make themselves available as and when so required, failing which the prosecution will be at liberty to move cancellation of their bail bond.

(Soni Shrivastava, J)

anand/-

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