

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25023 of 2026

Arising Out of PS. Case No.-325 Year-2025 Thana- ALAMNAGAR District- Madhepura

1. Md. Alam Son of Md. Jainul Resident of village - Laxminiya, Ward No.- 04, P.S.- Alamnagar, District - Madhepura.
2. Md. Sofiyan Son of Md. Kudus Resident of village - Laxminiya, Ward No.- 04, P.S.- Alamnagar, District - Madhepura.
3. Md. Inaz Son of Md. Naiyam Resident of village - Laxminiya, Ward No.- 04, P.S.- Alamnagar, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Barun Kumar Singh
Mr. Kumar Praveen
For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 01-05-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 191(2), 190, 126(2), 127(2), 115(2), 117(2), 109(1), 76, 303(2), 351(2), 352 of the B.N.S.

3. Petitioners are said to have assaulted the informant with fists and legs. It is further alleged that they also assaulted the brother of the informant by means of iron rod.

4. Learned counsel for the petitioners submits that as many as 15 persons were made accused in the First Information Report out of whom final report was submitted in favour of ten



of the accused persons. So far as these petitioners are concerned, there is practically no specific allegation on petitioner no. 2 but for his name being there in the FIR and with regard to petitioner no. 3, there is only an ornamental allegation of snatching away some money. The allegation on petitioner no. 1 is that of assault by means of iron rod upon Md. Moim and on account of which his hand was broken. It is further submitted that there is case and counter case with regard to the same incident and the case filed on the side of the petitioners are earlier in the point of time and a perusal of the FIR itself indicates that the persons on the side of the petitioners also sustained injuries. So far as the injury of Md. Moim is concerned, it would appear from the bail rejection order that he has sustained a grievous injury on his left ulna but it has been submitted that the same is only non-vital part of the body.

5. Learned APP for the State has opposed the application for anticipatory bail.

6. Taking into consideration the facts and circumstances and also considering the fact that the injury attributed to petitioner no. 1 is grievous in nature coupled with the fact that he also has criminal antecedents, I am not inclined to enlarge the petitioner no. 1 on bail.



7. Accordingly, his prayer for anticipatory bail is rejected.

8. So far as petitioners no. 2 and 3 are concerned, in view of the general and omnibus nature of allegations coupled with the existence of case and counter case, let the above named petitioners no. 2 and 3, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged 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 the learned court below where the case is pending/successor court in connection with Alamnagar P.S. Case No. 325 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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