

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29257 of 2026

Arising Out of PS. Case No.-373 Year-2025 Thana- FORBESGANJ District- Araria

1. Md. Akbar @ Akabar S/o- Md. Mainuddin R/v- Ramai, W.No-9, Forbesganj Ps- Forbesganj Dist- Araria
2. Ishtiyaque @ Istak S/o- Mainuddin R/v- Ramai, W.No-9, Forbesganj Ps- Forbesganj Dist- Araria
3. Istam S/o- Md. Mainuddin R/v- Ramai, W.No-9, Forbesganj Ps- Forbesganj Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv.
For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Forbesganj P.S. Case No. 373 of 2025 lodged on 21.07.2025, for the offence punishable under Sections 191(2), 190, 126(2), 115(2), 118(1), 303(2), 109 & 118(2) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against 13 named accused persons including the present petitioners. It has been alleged in the FIR that the accused Babbar has assaulted the informant's brothers and also took Rs.1,50,000/-



from the informant's brother Bablu. It has been further alleged that all the accused persons came armed with weapons assaulted the informant and his neighbours. It has been specifically alleged against the petitioner no.1 that he along with two other accused persons have assaulted the informant's *bhagna* Mikael and informant's *jija* by iron rod, due to which, they become unconscious and fell down.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. Counsel submits that the petitioners have falsely been implicated in this case. He submits that for the same date and place of occurrence, there are case and counter case from both the sides i.e. one case has been lodged from the petitioners' side bearing Forbesganj P.S. Case No. 372 of 2025 and the present case has been lodged from the informant's side bearing Forbesganj P.S. Case No. 373 of 2025. He further submits that the petitioners have clean antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that against petitioner no.1, there is specific allegation to assault the informant's *bhagna* Mikael and informant's *jija* by iron rod. He further submits that in the rejection order, it has been acknowledged by the Sessions



Judge that the said Mikael sustained six injuries which are grievous in nature.

6. As such, in the present facts and circumstances of this case, let the petitioner no. 2 namely, Ishtiyaque @ Istak and petitioner no. 3 namely, Istam be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Chief Judicial Magistrate, Araria, in connection with Forbesganj P.S. Case No. 373 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

7. So far as bail application of petitioner no.1 namely, Md. Akbar @ Akabar is concerned, this Court is not inclined to grant bail to him. Accordingly, the prayer for anticipatory bail of the petitioner no.1 stands rejected.

(Dr. Anshuman, J)

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