

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35481 of 2026

Arising Out of PS. Case No.-7 Year-2026 Thana- NARPATGANJ District- Araria

1. Md. Istekhar @ Istkhar @ Ibatkhar S/o Mohammad Rauf @ Md. Rauf @ Mohammad Raoof R/o Village- Gokhlapur (Gokhulpur), Ward No. 02, P.S - Narpatganj, District - Araria
2. Md. Julfkar @ Mohammad Julifkar S/o Mohammad Rauf @ Md. Rauf @ Mohammad Raoof R/o Village- Gokhlapur (Gokhulpur), Ward No. 02, P.S - Narpatganj, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pawan Kumar, Advocate
For the State	:	Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 21-05-2026 Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Narpatganj P.S. Case No. 07 of 2026, for allegedly having committed offence under Sections 126(2), 115(2), 118(1), 74, 303(2), 352 of the BNS.

3. As per the prosecution story which has been lodged on the basis of the written report submitted by the informant to the effect that on 26.01.2025 at around 03:00 PM, all the accused persons, including the petitioners came there armed with *farsa*, sword and other weapons and started assaulting the informant. It is alleged that both the petitioners, with an



intention to kill the husband of the informant, assaulted him with *farsa* and sword on his head due to which he sustained injuries. It is further alleged that all the other accused persons also assaulted him with stick and iron rod.

4. Learned counsel appearing on behalf of the petitioners submits that although, the occurrence took place on 26.01.2025 but the present FIR has been lodged on 07.01.2026, i.e. after a delay of about one year. He further submits that the dispute between the parties relates to a land, which belongs to the father of the petitioners and they are paying rent to the Government of Bihar and both the parties are co-sharer. He further submits that the injuries sustained by the husband of the informant, although are grievous in nature. Further, the occurrence is said to have been taken place on 26.01.2025, however, the injury report has been prepared on 15.01.2026.

5. The learned APP for the State opposes the prayer for bail of the petitioners and submits that injuries are grievous in nature and therefore, the petitioners do not deserve the privilege of anticipatory bail.

6. Having heard the rival submissions and after going through the records, it appears that the First Information Report was lodged on 07.01.2026, for an occurrence which is said to



have taken place on 26.01.2025. Further, from the injury report which has been brought on record by the petitioners which is at Annexure-P/3 to the present anticipatory bail application, it appears that the treating doctor, who is the medical officer of CHC, Narpatganj, while recording the Registration No. 1116 dated 26.01.2025, went on to record on 15.01.2026, after going through the CT Scan report dated 26.01.2025 that the injuries sustained by the husband of the informant are grievous in nature and the age of injury is 2-4 hours. It is surprising that when the CT Scan report is of 26.01.2025 then how the treating doctor has opined the same to be within 2-4 hours on 15.01.2026 and on the basis of the report dated 26.01.2025, he found the injuries to be grievous in nature on 15.01.2026. Further, the petitioners have got clean antecedents and they are agnates and land dispute is there in between the parties.

7. Considering the facts aforesaid, let the petitioners, 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 the learned CJM, Araria in connection with Narpatganj P.S. Case No. 07 of 2026 , subject to the conditions as laid down under Section 482(2) of



the B.N.S.S., with a further condition that :-

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 bonds 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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