

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39339 of 2026

Arising Out of PS. Case No.-58 Year-2026 Thana- SIKTI District- Araria

1. Khurshid @ Kursid Son of Hariya Resident of Village- Baligarh, Ward No. - 08, P.S.- Sikty, District- Araria.
2. Zahid @ Md. Jahir Hussain Son of Sainul Haque Resident of Village- Baligarh, Ward No. - 08, P.S.- Sikty, District- Araria.
3. Mainuddin Son of Chamruddin Resident of Village- Baligarh, Ward No. - 08, P.S.- Sikty, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Adv
For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Sikti P.S. Case No. 58 of 2026 for the offence punishable under sections 126(2), 115(2), 118(1), 118(2), 109, 191(2) and 190 of the BNS lodged on 25.02.2026 by the informant.

3. As per the prosecution case, the Informant alleged that on 24.02.2026, while he was irrigating his field, all the twelve FIR named accused persons came armed with various weapons, abused and assaulted the informant. When his father,



uncle, and brother intervened, they were also assaulted with *lathis*, sword and iron rods inflicting serious injuries. The villagers took them to the hospital and the injured persons were referred to Sadar Hospital, Araria for better treatment. Accordingly, the FIR.

4. Learned counsel for the petitioners submits that these petitioners have falsely been implicated in this case due to admitted land dispute between the parties. There is a case and counter case between the parties as the petitioner's side has also lodged an FIR being Sikti PS Case No. 61 of 2026 against informant and others. As per FIR, it appears that the petitioner no.1 assaulted the father of the informant by means of *Farsa* on his head causing injuries while petitioner no.2 caused injuries by means of sword on the head of the brother of the informant and petitioner no.3 assaulted the uncle by iron rod and got his hand broken. Annexure P/3 series is the injury report of father of the informant wherein injuries no. 1, 3 and 4 are found to be simple while injury no.2 is grievous but not attributable to petitioner no.1. Injury report of the uncle of the informant reveals that injuries no. 2 and 3 are simple but injury no. 1 is grievous in nature but the same is not on the vital part. The injury report of brother of the informant shows that he has received simple injuries. Learned counsel for the petitioners



submits that the petitioner including his family members have also received injuries which is appended as Annexure P/4 series of the present petition. Lastly, it has been submitted that the petitioners have got clean antecedents and the said incident has taken place due to land dispute and his whole family members of the petitioners have been implicated in this case.

5. Learned APP opposes the prayer for anticipatory bail by submitting that since the injuries are there, the petitioners do not deserve the privilege of anticipatory bail.

6. Considering the submissions of the parties and there is case and counter case between the parties, both sides have received injuries and the petitioners have got clean antecedent, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners, above named, be released on bail in the event of arrest or surrender within a period of six weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of ***Mr. Pranav Kumar***, learned ***Judicial Magistrate, 1st Class, Araria/the court concerned*** in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the



following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/their bail bonds.

(Ajit Kumar, J)

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