

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67847 of 2025

Arising Out of PS. Case No.-118 Year-2025 Thana- SAKRI District- Madhubani

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1. Md Afsar @ Md Irshad Son of Late Md. Jahagir @ Md. Jahangir R/o Village - Mohan Badhiyan, P.S. - Sakri, Dist. - Madhubani.
 2. Md. Aalamgir @ Munna Son of Late Md. Jaki @ Md. Jaki Hasan R/o Village - Mohan Badhiyan, P.S. - Sakri, Dist. - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-02-2026 1. 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 191(2), 190, 126(2), 115(2), 118(1), 109, 303(2) and 352 of the BNS, 2023.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of two cases and petitioner no. 2 is a person with clean antecedent and the informant alleges that children of his family had joined *Tazia* procession when petitioner no. 1 assaulted his son Noor Alam by lathi on account



of which a stampede occurred, but the matter was pacified, next alleges that on 07.07.2025 his children were sitting at the shop of his nephew and informant was coming back after having tea, when 9 named accused persons including the petitioners came variously armed and assaulted his children, on intervention of police, the matter was pacified and 9 injured were brought to the hospital.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that on account of dispute which had arisen in *Tazia* procession, the occurrence is alleged to have taken place. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that accused persons came and assaulted his children causing injury to nine persons, but then allegation of assault is general and omnibus in nature, it is fairly submitted that three injured received grievous injuries while rest of the injured suffered simple injury. It is also submitted that from side of the petitioners Sakri P.S. Case No. 119 of 2025 has been instituted against the informant and his side and people from the side of the petitioners also suffered injury on account of assault. It is next submitted that petitioners will not abscond rather will



cooperate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the anticipatory bail application of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners and taking into consideration the fact that allegation of assault is general and omnibus in nature, the petitioners above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sakri P.S. Case No. 118 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioners despite giving assurance to this Court are not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.



9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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