

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78977 of 2025

Arising Out of PS. Case No.-268 Year-2025 Thana- PALASI District- Araria

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Aalam @ Alimuddin S/O Yakub @ Alam @ Md. Alam R/o Vill- Harwa Ward
No 11, P.S.- Palasi, Dist.- Araria, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhav Jha, Advocate

For the Opposite Party/s : Mr.Murli Dhar, A.P.P.

Ms.Rabia Gulnaz, Advocate

Ms. Ranjana Singh, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner apprehends his arrest in connection with Palasi P.S. Case No. 268 of 2025 instituted for the offences under Sections 126(2), 115(2), 118(1) 109, 352, 303(2), 351(2), 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023, later Section 103 BNS was added.

3. Prosecution case, in short, is that on 07.07.2025, when informant and his family members were returning home after attending Moharram fair, all the accused persons, including the petitioner assaulted him and his family members.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that the allegation against the petitioner is that he has assaulted Tauhid, with intention to kill him, but injury was found simple in nature. The occurrence took place due to land dispute. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. There is specific allegation against the petitioner that he has assaulted Tauhid with intention to kill him.

6. Considering the aforesaid facts and circumstances of the case, since there is specific allegation of assault against the petitioner, in my view, this is not a fit case for anticipatory bail. Thus, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, **rejected**.

8. However, if the petitioner surrenders before the learned court below within a period of six weeks from today



and prays for regular bail, the same shall be disposed of on
its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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