

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.87735 of 2025**

Arising Out of PS. Case No.-490 Year-2025 Thana- LAKHISARAI District- Lakhisarai

1. Md. Kamal @ Kamal Sekh S/O Md. Januddin @ Md. Zainuddin R/O village-Ofapur, P.S-Lakhisarai, Dist- Lakhisarai
2. Md. Mustaq S/O Md. Januddin @ Md. Zainuddin R/O village-Ofapur, P.S-Lakhisarai, Dist- Lakhisarai
3. Md. Muntaj Alam @ Md. Mantaj Alam @ Md. Mumtaj S/O Md. Januddin @ Md. Zainuddin R/O village-Ofapur, P.S-Lakhisarai, Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Khurshid Anwar

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      21-01-2026              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 126(2), 115(2), 109, 352, 351(2), 191(2) and 191(3) of the Bharatiya Nyaya Sanhita.

3.    Learned counsel for the petitioners submits that the petitioners have antecedent of one case under Section 498A of the IPC and the informant alleges that 20-1-2025 at 4 pm, the accused persons came and Md. Kamal at point of pistol started assaulting, while Md. Mumtaj assaulted him by lathi causing



injury on head, while other accused assaulted by leg and fist.

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 no doubt it is alleged that accused persons assaulted, but then allegation of assault is not specific. It is further submitted that only Md. Muntaj @ Md. Mumtaj is alleged to have assaulted the informant by lathi causing injury on head, but then the blow is not alleged to be repeated. It is also submitted that from perusal of the Annexure-2, i.e., injury report of the injured, it would manifest that informant has suffered six injuries, but then all injuries are simple in nature. It is next submitted that petitioners and the informant are neighbours and on account of dispute relating to drainage, an altercation took place in which both side assaulted each other. It is further submitted that no doubt petitioners have antecedent of one case, but then the said case has been instituted at the behest of the wife of Md. Kamal. Learned counsel submits that petitioners will not abscond rather will co-operate in the investigation to prove their innocence.

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

6. Considering the submissions made by the learned



counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court 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 Lakhisaria P.S. Case No. 490 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

Sumit/-

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