

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1629 of 2026

Arising Out of PS. Case No.-263 Year-2025 Thana- PALASI District- Araria

1. Md. Akil @ Aakil Alam Son of Md. Rakib @ Rakib Alam Resident of village - Dhangawa, Ward No.- 01, P.S.- Palasi, District - Araria.
2. Md. Rakib @ Rakib Alam Son of Soukat Ali Resident of village - Dhangawa, Ward No.- 01, P.S.- Palasi, District - Araria.
3. Md. Arshad @ Arshad Hussain Son of Md. Khalid @ Khalid Resident of village - Dhangawa, Ward No.- 01, P.S.- Palasi, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Md. Dilshad Alam, Advocate
For the State	:	Mr. Satya Nand Shukla, APP
For the Informant	:	Md. Naushaduzzoha, Advocate
		Mr. Somesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-01-2026 Heard learned counsel appearing on behalf of the petitioners, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 76, 303(2), 352, 351(2), 351(3) and 3(5) of the B.N.S..

3. As per prosecution case, it is alleged that on 30.06.2025, all the F.I.R. named accused persons, including these petitioners, abused and assaulted informant and his family members.

4. It is submitted by learned counsel appearing on



behalf of the petitioners that petitioners are quite innocent and have committed no offence. On account of petty dispute, *maar-peet* took place in which both sides sustained injuries. There is case and counter-case. Moreover, the present F.I.R. has been lodged after inordinate delay of four days and there is no plausible explanation for the same which itself makes the entire prosecution case doubtful. Doctor has found the injuries, allegedly caused by Petitioner Nos. 2 and 3, simple in nature. Petitioners claim clean antecedents.

5. On the other hand, learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. with specific accusation that they, along with other F.I.R. named accused persons, abused and assaulted informant and his family members. Injuries caused by Petitioner No. 1 are grievous in nature.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation and nature of injuries sustained by the injured, the prayer for grant of anticipatory bail to Petitioner No. 1 is rejected.

7. So far as Petitioner Nos. 2 and 3 are concerned,



considering the facts and circumstances of the case, nature of injuries allegedly caused by these petitioners, case and counter-case, delay in lodging of the F.I.R. and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to Petitioner Nos. 2 and 3 is allowed.

8. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner Nos. 2 and 3 be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria in connection with Palasi P.S. Case No. 263 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

9. With the aforesaid directions, this application stands disposed of.

(Prabhat Kumar Singh, J)

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