

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90303 of 2025

Arising Out of PS. Case No.-111 Year-2025 Thana- ALAMNAGAR District- Madhepura

1. Sanful Mistri Son of Late Anik Mistri Resident Of Village- Alamnagar Ward no. 15, Ps- Alamnagar, Dist- Madhepura
2. Munna Kumar son of Sanful Mistri Resident Of Village- Alamnagar Ward no. 15, Ps- Alamnagar, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pooja Prasad

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 15-01-2026 Heard the learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehended their arrest in connection with Alam Nagar P.S. Case No. 111 of 2025, F.I.R dated 07.04.2025 registered for the offences punishable under Sections 329(3), 126(2), 115(2), 118(1), 117(2), 109, 303(2), 352, 351(2), 3(5) of Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 02.04.2025 at about 5:00 P.M., the informant was present at his old house adjoining the house of Damodar Mistri. On objecting to a goat being tied on the exit road of his house, the named accused persons, including the petitioners, allegedly arrived armed with



deadly weapons such as sword, dabiya, farsa and iron rod, abused the informant and assaulted him and his family members. It is alleged that Nitish Kumar assaulted the informant on the head with an iron rod and Lalita Devi assaulted his right hand with a dabiya. When family members intervened, they were also assaulted with various weapons, causing multiple injuries, including fracture. It is further alleged that Lalita Devi snatched Rs. 56,000/- in cash and Sabuja Devi took gold ornaments worth Rs. 35,000/-. On these allegations, the FIR was lodged.

4. Learned counsel for the petitioners submits that there is a counter version to the incident, and the petitioners are also said to have received injuries in the said incident, while in the First Information Report is said to have been lodged after a delay of almost 5 days, and the injury(s) which are said to have been received by Bahadur Mistri and Pawan Mistri are simple in nature, whereas, with respect to the informant – Indal Mistri, the injury has been found to be grievous in nature. The allegations levelled against these petitioners are not specific, and there is a compromise arrived between them and appropriate compromise petition has already been placed before the learned Judicial Magistrate, 1st Class, Uda Kishunganj, Madhepura, which is pending consideration, and it is accordingly said that the parties are



maintaining cordial relation with the intervention of well wishers. Be that at it may, considering the fact that in case and counter case, both the parties are said to have received injuries, while the allegations levelled in the First Information Report is not corroborated with the injury report and the petitioners are ready to maintain peace and harmony.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. At this stage, the petitioners undertakes to maintain peace and would not threaten the informant and in case any such allegations being made before the Police, the same may be directed to be examined and finding substance in such allegations, appropriated steps for cancellation of privilege of anticipatory bail may be reported to the police. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners, taking note of the above consideration.

7. Let the petitioners, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M, 1st Class, Uda Kishunganj, Madhepura in connection



with Alamnagar P.S. Case No. 111 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other 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/her/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 their bail bonds.

(Ajit Kumar, J)

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