

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2521 of 2026

Arising Out of PS. Case No.-179 Year-2025 Thana- KUMAR KHAND District- Madhepura

1. Md. Noman Azad @ Mohammad Numan Azad S/o- Md. Rafique Uddin @ Md. Rafik R/v- Lakshmipur Chandisthan PS - Kumarkhand Dist- Madhepura
2. Md. Nishad @ Nishar Ahmad @ Md. Tunna S/o- Md. Jainul @ Jainulabuddin @ Jainul Abedin R/v- Lakshmipur Chandisthan PS- Kumarkhand Dist- Madhepura
3. Md. Ashfak @ Md. Asfak S/o- Md. Jainul @ Jainulabuddin @ Jainul Abedin R/v- Lakshmipur Chandisthan PS - Kumarkhand Dist- Madhepura
4. Md. Munna @ Md. Azad Alam S/o- Md. Jainul @ Jainul Abedin @ Jainulabuddin R/v- Lakshmipur Chandisthan PS- Kumarkhand Dist- Madhepura
5. Md. Laddu @ Mister Laddu S/o- Md. Jainul @ Janulabuddin @ Jainul Abedin R/v- Lakshmipur Chandisthan PS- Kumarkhand Dist- Madhepura
6. Monu Kumar Yadav @ Monnu Kumar S/o- Rajkishore Yadav R/v- Lakshmipur Chandisthan PS- Kumarkhand Dist- Madhepura
7. Prabhash Kumar @ Prabhat Kumar S/o- Ganesh Sah R/v- Lakshmipur Chandisthan PS- Kumarkhand Dist- Madhepura
8. Md. Bashim @ Md. Wasim Akram S/o- Md. Asfak R/v- Lakshmipur Chandisthan PS- Kumarkhand Dist- Madhepura
9. Rajiv Yadav @ Rajiv Kumar S/o- Late Mangen Yadav R/v- Lakshmipur Chandisthan PS- Kumarkhand Dist- Madhepura
10. Sudish Yadav S/o- Late Upendra Prasad Yadav @ Upendra Yadav R/v- Lakshmipur Chandisthan PS - Kumarkhand Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hrishikesh, Advocate
For the Opposite Party/s : Ms. Anita Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-02-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Learned counsel for the petitioners seeks permission to
withdraw the anticipatory bail application with respect to petitioner



no. 5, namely, Md. Laddu @ Mister Laddu who was arrested during pendency of the same.

3. Permission is accorded.

4. Accordingly, the anticipatory bail application with respect to petitioner no. 5 is dismissed as withdrawn.

5. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 121(1), 121(2), 125, 132, 109, 352 and 351(2) of the BNS.

6. Learned counsel for the petitioners submits that petitioners no. 1, 2, 4, 7, 8, 9 and 10 are persons with clean antecedent while petitioner no. 3 has antecedent of two cases and petitioner no. 6 has antecedent of one case.

7. It is submitted that inadvertently at para 3, it has been typed petitioner no. 2 in front of name of Md. Ashfak @ Md. Asfak when he is petitioner no. 3 in the instant anticipatory bail application, thus, seeks permission to rectify the said mistake.

8. Permission is accorded.

9. It is submitted that in sum and substance, the allegation is that the accused persons including the petitioners entered the police station and attacked the police force causing injury to the police personnel.

10. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the



informant. It is further submitted that it does not appear probable that for no reason the accused persons would have entered the police station and thereafter would have assaulted the police personnel. It is next submitted that Md. Jabbar was trying to grab the land of Md. Laddu @ Mister Laddu for which Md. Laddu @ Mister Laddu had gone to the police station to complain and when his complain was not registered, he came back to his house and thereafter his relatives and friends accompanied him to the police station where the police official misbehaved with them, as such, an altercation took place. It is also submitted that it does not appear probable that petitioners would have entered the police station with an intent to commit an occurrence. It is further submitted that since the SHO of the concerned police station was not registering an FIR with regard to the dispute which had arisen in between Md. Laddu @ Mister Laddu and Md. Jabbar, as such, an altercation took place and when the police personnel started threatening the petitioners of implicated them in a false case that led to the occurrence in which the police personnel assaulted the side of the petitioners and also instituted a false case. It is next submitted that there is no specific allegation of assault against the accused persons, except Md. Nishad @ Nishar Ahmad @ Md. Tunna (petitioner no. 2). It is also submitted that four persons were arrested. It is thus submitted that had the petitioners gone to the police station with an intent to commit an occurrence then the accused persons would not have been arrested. It is further



submitted that force was used from the side of the police and the accused persons including the petitioners in order to save themselves were trying to defend when some minor injuries might have been caused to the police personnel.

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

12. Considering the submissions made by the learned counsel for the petitioners no. 1 to 4 and 6 to 10, let the petitioners no. 1 to 4 and 6 to 10 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.10,000/- (Rupees Ten 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 Kumarkhand P.S. Case No. 179 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Satyavrat Verma, J)

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