

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1022 of 2026**

Arising Out of PS. Case No.-128 Year-2025 Thana- PURAINI District- Madhepura

1. Md. Mukhtar @ Md. Muktar S/o Md. Jakir R/o - Sapardah, Ward No.8, P.S - Puraini, District - Madhepura
2. Md. Akhtar S/o Md. Jakir R/o - Sapardah, Ward No.8, P.S - Puraini, District - Madhepura
3. Md. Jakir S/o Late Md. Goswar R/o - Sapardah, Ward No.8, P.S - Puraini, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                     |
|--------------------------|---|-------------------------------------|
| For the Petitioner/s     | : | Mr.Dr. Sanjay Kumar Singh, Advocate |
| For the Opposite Party/s | : | Mr.Madhura Nand Jha, APP            |
| For the Informant        | : | Mr. Viveka Nand Singh, Advocate     |

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      04-02-2026                      Heard Dr. Sanjay Kumar Singh, learned counsel for the petitioners and Mr. Viveka Nand Singh, learned counsel for the informant beside the learned APP.

2. The petitioners are apprehending arrest in connection with Puraini P.S. Case No. 128 of 2025 instituted under Sections 126(2), 115(2), 76, 308(2), 109, 303(2), 3(5) of the Bhartiya Nayay Sanhita, 2023 of the Indian Penal Code lodged on 11.07.2025 by the informant, Khushbu Praveen.

3. As per the prosecution story, the informant alleged that during Panchayati over the land dispute, fight broke out and allegation against the accused persons is of assaulting the most



of members of the informant side. This led to the FIR.

4. Learned counsel for the petitioners submit that single injury has been found on the person of the injured but number of the accused has been attributed to the said injury. Further, some of the injuries have been found to be simple in nature.

5. Learned counsel for the informant has taken this Court to the learned Sessions Judge's order to show that so far as Md. Amjad, Md. Sueb and Md. Tayab are concerned, the injuries inflicted upon them amongst other by two of the petitioners namely Md. Muktar and Md. Akhtar (petitioner nos.1 and 2) have been found to be grievous in nature. He submits that Md. Ajhar has received simple injury.

6. Considering the submissions of the parties as also the perusal of the learned Sessions Judge order which has recorded the injuries to the informant side, the anticipatory bail application of petitioner nos.1 and 2 namely Md. Mukhtar @ Md. Muktar and Md. Akhtar S/o Md. Jakir respectively stand rejected. However, if the petitioners surrender within a period of four weeks, files bail application, the concerned Court shall take up the matter and dispose it of preferably on the same day.

7. So far as the petitioner no.3, Md. Jakir is



concerned, though he has also been made accused, no specific allegation of assault causing grievous injury on the informant side is there, the petitioner no.3 has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner no.3, Md. Jakir be released on bail, in the event of his arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Puraini P.S. Case No. 128 of 2025 to the satisfaction of learned A.C.J.M.-1, Udakishunganj, Madhepura subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner no.3, Md. Jakir who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his/her bona fide;

(ii) the petitioner no.3, Md. Jakir 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 bail bond by the Trial Court itself;



(iii) the petitioner no.3, Md. Jakir shall appear before the concerned police station every fortnight for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioner no.3, Md. Jakir 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;

(v) the petitioner no.3, Md. Jakir shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

**(Rajiv Roy, J)**

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