

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1565 of 2026

Arising Out of PS. Case No.-173 Year-2025 Thana- ALAMNAGAR District- Madhepura

1. Md. Shahwaj S/O Md. Kiyam R/O Village- Laxminiya, P.S- Alam Nagar, Distt.- Madhepura.
2. Md. Hasim @ Md. Hasib S/o Md. Liyakat R/O Village- Laxminiya, P.S- Alam Nagar, Distt.- Madhepura.
3. Md. Israfil S/O Md. Taslim R/O Village- Laxminiya, P.S- Alam Nagar, Distt.- Madhepura.
4. Md. Miyakil @ Md. Mikayail S/O Md. Taslim R/O Village- Laxminiya, P.S- Alam Nagar, Distt.- Madhepura.
5. Md. Saddik S/O Md. Gulam Rasul @ Md. Liyakat R/O Village- Laxminiya, P.S- Alam Nagar, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pooja Prasad
For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Sections 191(2), 329(4), 126(2), 127(2), 115(2), 118(1), 75, 352, 351 (2) of B.N.S., 2023.

3. Allegation against the petitioners is that they brutally assaulted the informatn with variously armed and attempted to kidnap but later on the petitioners managed to



escape . The further allegation is that accused persons started assaulting the informant's aunt and demolishing the fence of her house and caught hold the informant by accused Shamshad and brutally assaulted with rod causing grievous injury at the head of informant. All petitioners also misbehaved her and took jewellery form her. Hence the present case.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. He further submits that there is no specific allegation against the petitioners of assault and the petitioners have no criminal antecedent, as statement made in para 3 of the bail application. He also submits that there is case and counter case between the parties.

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

6. Considering the aforesaid facts and circumstances of the case and the fact that there is general and omnibus allegation against the petitioners, with no specificity of allegation assigned to any of the petitioners and also given the fact that there is case and counter case which has been disclosed in paragraph 8 of the application, I am inclined to grant privilege of anticipatory bail to all the petitioners.



7. Let the petitioners, as named above, in the event of their arrest or surrender within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Udakishunganj, Madhepura, in connection with Alamnagar P.S. Case No. 173 of 2025, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Alok Kumar Sinha, J)

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