

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BEGUSARAI

A.B.A. No. 1328/2026

Ref:- Arising out of Ballia P.S Case No. 294/2026

Dt: 20.05.2026

U/S- 115(2), 126(2), 109(1), 118(1), 352, 351(2), 3(5) of B.N.S.

In the matter of :-

1. Md. Manzoor Alam, S/o Md. Manan @ Abdul Mannan

2. Md. Mahtab, S/o Md. Manjoor Alam

Both are R/o vill. Kasba, Ward No. 13, P.S. Ballia, Distt. Begusarai

.....Petitioners

Vrs.

The State of Bihar

.....Opposite Party

Present:- Rishi Kant

Principal Sessions Judge, Begusarai

Ld. Counsel for the petitioners :- Shri Shishir Kumar, Adv.

Ld. Counsel for the O.P. :- Ld. P.P. I/C

Ld. Counsel for the Informant :- Shri Syed Md. Mansoor Alam, Adv.

Date of order:-08.07.2026

ORDER

An anticipatory bail petition has been filed on behalf of above named accused/petitioners who are apprehending their arrest in connection with above mentioned case for committing of offences punishable u/s-115(2), 126(2), 109(1), 118(1), 352, 351(2), 3(5) of B.N.S. and the same has been put up for hearing.

Heard Learned Counsel Shri Shishir Kumar appearing on behalf of accused/petitioners and Learned P.P. I/C for the State assisted by learned counsel Shri Syed Md. Mansoor Alam for the informant.

Prosecution case, in short, is that on 20.05.2026 at about 11 A.M. Md. Mahtab called her son and he alongwith four unknown persons assaulted her son very badly in Gachhi situated at Kasba. Anyhow, her son came after saving his life and told the entire matter. At about 3:30 P.M. she alongwith her husband, her brother, son went to the house of Md. Mahtab for telling the entire fact then, Md. Mahtab and his father Md. Manzoor Alam started abusing them. Md. Manzoor Alam ordered to kill them. On this, Md. Mahtab gave knife blow upon her brother namely, Md. Saiyan @ Bablu due to which he sustained injuries. Md. Manzoor Alam threatened them to face dire consequences.

The Ld. Counsel appearing on behalf of accused/petitioners submitted that the petitioners have not filed any bail either anticipatory bail or regular bail before this court or any higher court. It is further submitted that petitioners are innocent, have committed no offence and have falsely been implicated in this case. The petitioners have no criminal antecedent. The allegation against the petitioners are totally false, baseless and imaginary. The present case is counter blast of Ballia P.S case no. 297/2026 in which informant is one of the accused. There is no specific allegation of overt act against these petitioners. Neither the informant nor any prosecution party sustained any injury upon the vital part of the body, hence Section 109 of B.N.S is not attracted. Compromise has been done in between the parties. Petitioners are willing to comply with all the conditions imposed by the court, so they may be released on bail.

Per contra, the Ld. P.P. I/C appearing on behalf of State and learned counsel for the informant, formally opposed the prayer for bail. However, they fairly conceded that

both the parties have compromised the case.

Heard the learned counsels for both parties, and perused the record and the photocopy of the case diary. As per F.I.R, there is no specific allegation of overt act against the petitioners. From the materials available on record, it appears that despite several opportunities having been granted, the prosecution has failed to produce the injury report of the alleged injured. From perusal of record, it appears that there is case and counter between the parties and money dispute is going on between the parties. At the time of hearing, Ld counsels for both parties submitted that compromise took place between the parties and a compromise petition is also on record which shows that compromise has been reached between them. The injured persons appeared before the court during course of hearing of bail application and admitted that both the parties have compromise the case. Furthermore, Ld. Defence counsel fairly conceded that the petitioners have no criminal antecedent as per statement made at Para 3 of bail application as well as paragraph 27 of case diary.

Considering the above facts, particularly the compromise between the parties and the statement of injured persons, let the petitioners be directed to be released on bail in the event of arrest or surrender before the learned court below within a month from the date of order on furnishing of bail bond of Rs. 10,000/- (Ten thousands) each with two sureties of like amount each subject to the satisfaction of learned court below in Ballia P.S Case no. 294/2026 on the following conditions that:-

1. The petitioners will make themselves available for interrogation by a police officer/court as and when required.
2. The petitioners shall not directly or indirectly make any inducement, threat, promise to any person acquainted with the facts of the case as to dissuade them from disclosing of such fact to the court or any police officer.

(Dictated)

Sd/-

(Rishi Kant)

Principal Sessions Judge, Begusarai

Date of Judgment/Order	08.07.2026
Date of Reserving Judgment/Order	N.A.
Uploading Date	10.07.2026
Uploaded by	Rahul Verma