

**In the Court of District & Add. Sessions Judge-II,
Jhanjharpur (Madhubani)**

Anticipatory Bail Petition No.-246/2026

1. Md. Mijan Alam aged about 22 years S/o Md. Akabar Ali.
2. Md. Nausad Alam aged about 25 years S/o Md. Ayub Alam.
3. Md. Ulafat Rain aged about 42 years S/o Md. Majebul Rain.

All R/o Village-Brahampur, P.S.- Phulparas, District-Madhubani.

.....Petitioners

Versus

1. State of Bihar through Additional Public Prosecutor.

.....Opposite Party

Anticipatory Bail Petition Under Section 482 B.N.S.S.

For the petitioner/s	:	Shri Rajkumar Yadav, Advocate
For the O.P. State	:	Shri Dev Shankar Jha, APP

ORDER

Dated: 29.04.2026

This anticipatory bail petition filed on 13.03.2026 under section 482 B.N.S.S. on behalf of the above named petitioners **1. Md. Mijan Alam, 2. Md. Nausad Alam & 3. Md. Ulafat Rain** who are apprehending their arrest in connection with **Phulparas P.S. Case No. 143/2025, GR No. 531/25** for the offence **under section 329(3), 352, 115(2), 118(1), 109(1), 324(3), 76, 303(2), 117(2), 3(5) of BNS**, which is pending in the court of A.C.J.M. 2nd, Jhanjharpur is being pressed, and heard.

The prosecution case in brief is that the informant of this case is Akhlakul Haq Ansari. He has stated that on 27.03.2025 at about 05:00 PM, his cousin uncle Md. Majur Ansari and cousin brother Sabdullah Ansari and Vahdat Ansari were on his shop. All accused persons named in FIR, and 15-20 unknown persons came on his uncle's shop with lathi, danda, bhala, and iron rod, and started abusing them. Md. Akbar Ali assaulted to Majur Ansari with iron rod due to which he sustained injury. Sabdullah Ansari came to save him, then Md. Akbal Alam assaulted him with sharp weapon, due to which, he sustained forehead injury. Md. Haklakh and Ulfat Rain assaulted to Vahdat Ansari with iron rod due to which he sustained head injury. Md. Naushad

looted Rs. 10,000/- from his galla. Md. Ulfat Rain assaulted to Md. Safikullah with iron rod due to which he sustained injury. Khus Md. tore the clothes of Safikullah's daughter-in-law due to which she became naked. Md. Rajaul Haq looted Rs.50,000/- from Safikullah's house. Md. Jiyaul Haq assaulted to Fateh Ajam by knife on his head, which sustained head injury. In the mean time Jahagir Alam came to save Fateh Ajam, then Md. Isradul Haq assaulted him on his head which caused head injury. Md. Imtiyaz assaulted to the Md. Ikramul Haq with iron rod, which sustained head injury. Md. Farid assaulted Akhlakul on his head which caused head injury, and looted Rs.18,025/- from Akhlakul Haq's pocket. Md. Ali Haq looted Rs.28,128/- from Md. Ataul Haq.

Learned Counsel of petitioner accused has submitted that the petitioner accused are quite innocent, and has committed no offense. No occurrence as alleged has taken place. Petitioner accused persons have no criminal antecedents. That no other bail petition has been filed earlier in any Court, or Hon'ble High Court, Patna. The prosecution story is totally false, absurd, and concocted. The petitioners are falsely been implicated in this case due to personal grudge, malice, spite dirty village party politics. It is further submitted that nothing incriminating has been recovered from the possession of the accused petitioner. It is further submitted that Civil Suit pending in between both the parties. There is no specific allegation against the accused petitioner. Therefore, petitioner be granted anticipatory bail.

Learned APP had opposed the prayer of anticipatory bail.

Heard the argument and perused the record. Petitioners do not bear any criminal antecedent. From perusal of case diary, and document submitted on behalf of petitioners, it is apparent that there is a case, and counter case regarding the same occurrence, vide Phulparas P.S case no-144/25 against the informant, and his witnesses. Meaning thereby that free fight took place. Neither intention, nor knowledge is apparent. Injury sustained by injured are simple in nature. That there is a land dispute between both parties, and T.S No-97/23 is going on between the parties. Altogether 3 co accused has been granted regular bail by Ld. Addl. Sessions Judge-I, Jhanjharpur, vide B.P No-169/2026. Further, 4 Co accused has been granted anticipatory bail, and one co accused regular bail, by Hon'ble High Court, Patna in Cr. Misc-88569/2025, and Cr. Misc-88585/2025, respectively. Petitioners case stands on similar footing. Moreover, allegation are general, and omnibus in nature.

Considering all these facts and circumstances, this Court find this to be an apt case for grant of anticipatory bail. Hence, anticipatory bail petition of above named persons are **allowed**. It is hereby ordered that in the event of surrender or arrest before the Court below/concerned police within 30 days from the date of receipt of a copy of this order, the petitioner shall be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below/police subject to the condition under the provision of section 482(2) BNSS.

Dictated

**Addl. Sessions Judge-II,
Jhanjharpur**