

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47731 of 2023**

Arising Out of PS. Case No.-137 Year-2023 Thana- BAHADURGANJ District- Kishanganj

1. Jamil Akhter Son Of Usman R/O Village- Singhia Ward No. 13, P.S. Bahadurganj, District- Kishanganj
2. Samsad Alam @ Shamshad Alam Son Of Usman R/O Village- Singhia Ward No. 13, P.S. Bahadurganj, District- Kishanganj
3. Bahadur Alam @ Bahadur Son Of Usman R/O Village- Singhia Ward No. 13, P.S. Bahadurganj, District- Kishanganj

... .. **Petitioner**

**Versus**

The State of Bihar

... .. **Opposite Party**

**Appearance :**

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      11-08-2023                      Heard learned counsel for the petitioners and  
learned APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Bahadurganj P.S. Case No. 137 of 2023 registered for the offences punishable under Sections 341, 323, 325, 307, 504, 379, 506, 354, 34 of the Indian Penal Code. They have no criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story in short is that all the petitioners assaulted and abused the informant and his family members and outraged the modesty of the



informant's family members and posted obscene comments and photographs of the victim on the social media and also snatched silver chain worth Rs. 10,000/-.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case. Learned counsel submits that nothing incriminating has been recovered from the conscious possession of the petitioners as also both the parties have entered into a compromise.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the seriousness of the allegations and the observations of learned Additional Sessions Judge – 1<sup>st</sup>, Kishanganj in the impugned order, this Court is not inclined to grant privilege of pre-arrest bail to the petitioners.

7. Learned counsel for the petitioners submits that both the parties have entered into a compromise. If it is so, in case the petitioner surrender and pray for regular bail within a period of four weeks from today, the same will be considered by the learned court below on its own merit



without being prejudiced by the order of this Court and, in case, the informant and the victim appear in the court below to support the plea of the petitioners for bail, the same will also be considered while passing an appropriate order on the regular bail application of the petitioners.

8. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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