

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.584 of 2024

Arising Out of PS. Case No.-205 Year-2023 Thana- KHANPURA District- Samastipur

1. Nazma Khatoon W/O Saium Ansari @ Md. Saiyum Ansari R/O Village- Jahangirpur Kothia P.S. Khanpur, Distt- Samastipur
2. Zamila Begum W/O Md. Anwarul Ansari R/O Village- Jahangirpur Kothia P.S. Khanpur, Distt- Samastipur
3. Kaif Ali @ Md. Kaif Ali S/O Sher Ali R/O Village- Jahangirpur Kothia P.S. Khanpur, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha
For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 03-04-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehends their arrest in Khanpur P.S. Case No. 205 of 2023 registered for the offences punishable under Sections 341, 323, 324, 325, 354(B), 504, 506, 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners along with other co-accused persons are said to have assaulted the informant and his family members.

4. Learned counsel for the petitioner submits that the petitioners are innocent and have falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that



the injuries are found grievous in nature. He further submits that some of the co-accused have been granted anticipatory bail by this Court. The petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that there is specific overt act against the petitioners.

6. Considering the facts and circumstances of case and the fact that there is specific overt act against the petitioners and the injuries are found grievous in nature, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

7. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order, considering the fact that petitioner no. 2 is a female and petitioners have no criminal antecedent.

(Anjani Kumar Sharan, J)

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