

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1084 of 2025

Arising Out of PS. Case No.-447 Year-2024 Thana- GAYA KOTWALI District- Gaya

Md. Akbar Ansari S/o Late Md. Sanaullah Khan R/o Mohalla- Waris Nagar,
P.S.- Kotwali, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate.

For the Opposite Party/s : Mrs.Asha Devi, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 05-02-2025 Heard Mr. Birendra Kumar, learned counsel appearing
on behalf of the petitioner and Mrs. Asha Devi, learned APP for
the State.

2. The petitioner seeks pre-arrest bail in connection
with Kotwali P.S. Case No. 447 of 2024 registered for the
offence punishable under Sections 126(2), 115(2), 109, 351(2)
and 3(5) of the B.N.S., 2023.

3. As per the allegation made in the F.I.R., the
petitioner along with other accused persons is said to have
abused and assaulted the the informant by means of fist, slap
and iron rod causing grievous injury, with a common intention
to kill him.

4. Learned counsel appearing on behalf of the
petitioner submitted that the the specific allegation of assault by
means of iron rod is against co-accused Isfaque Ansari. The



allegation against the petitioner is of assaulting the informant by means of fist and slap. Learned counsel further submits that the petitioner is aged about 22 years and he is a student and he is pursuing his studies.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submitted that with a common intention to kill the informant, petitioner along with other accused persons had assaulted the informant causing grievous injury and no statement has been made in the bail application that the petitioner is a student and he is pursuing his studies, don't call for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties and the fact that it is contended on behalf of the petitioner that he is a student and pursuing his studies, but in this regard, no statement has been made in the bail application, I am not inclined to enlarge the petitioner on pre-arrest bail.

7. The petitioner, however, may surrender before the learned District Court and seek regular bail which may be considered on the same day.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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