

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5848 of 2025

Arising Out of PS. Case No.-265 Year-2024 Thana- BHAGWANPUR District- Vaishali

1. Md. Sahzad @ Md. Sazad S/o- Md. Yunus @ Md. Inus Resident of Village- Sahtha PS- Bhawanpur, Dist- Vaishali
2. Md. Ejaj S/o- Md. Yunus @ Md. Inus Resident of Village- Sahtha PS- Bhawanpur, Dist- Vaishali
3. Md. Abdul @ Abdul S/o- Md. Phool Mohammad Resident of Village- Sahtha PS- Bhawanpur, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md Harun Quareshi, Advocate

For the Opposite Party/s : Mr. Rajendra Singh Shastri, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-02-2025 Heard learned counsel appearing on behalf of the

petitioners and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioners are named in the

F.I.R. and apprehended their arrest in connection with

Bhagwanpur P.S. Case No. 265 of 2024 registered for the

offences punishable under Sections 115, 126(2), 117, 74,

303(2), 324, 352, 351, 3(5) of the Bharatiya Nyaya Sanhita.

3. The allegation against the petitioners is to

assault the informant and family members and also to outrage



the modesty of the daughter of informant. It is further alleged that during the occurrence cash of Rs. 2,000/- was taken out from the pocket of informant by co-accused Md. Yunus.

4. Learned counsel appearing on behalf of the petitioners submitted that allegation *qua* outraging the modesty is appearing very much general and omnibus against these petitioners. It is submitted that some altercation took place between both the families due to land dispute in terms of annexure no. 2 of the bail petition, therefore, to create a pressure, present criminal case was lodged against petitioners. While concluding the argument it is submitted that petitioner no(s). 1 & 2 found involved in one more case, where they are on bail and petitioner no. 3 is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of the facts and circumstances and by taking note of the fact as allegation *qua* outraging the modesty is appearing very much general and omnibus, where occurrence took place in the background of land dispute,



accordingly all above named petitioners, in the event of their arrest or surrender before the learned trial court within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM VIth, Vaishali at Hajipur/concerned trial court where the case is pending in connection with Bhagwanpur P.S. Case No. 265 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C./Section 482 (2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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