

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6196 of 2025

Arising Out of PS. Case No.-803 Year-2024 Thana- GAYA MUFASIL District- Gaya

1. Md. Husain S/o Late Wali Mohammad Resident of Mohalla- Jagdishpur, PS- Mofassil, Distt.- Gaya
2. Muskan Parween D/o Md. Husain Resident of Mohalla- Jagdishpur, PS- Mofassil, Distt.- Gaya
3. Kaushain Alam S/o Md. Husain Resident of Mohalla- Jagdishpur, PS- Mofassil, Distt.- Gaya
4. Miss Lado D/o Md. Husain Resident of Mohalla- Jagdishpur, PS- Mofassil, Distt.- Gaya
5. Reshama Khatoon W/o Md. Husain Resident of Mohalla- Jagdishpur, PS- Mofassil, Distt.- Gaya
6. Md. Naushad S/o Late Md. Rasho @ Abdul Rashid R/o Nadraganj, P.s.- Civil Line, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rabia Gulnaz, Adv

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 12-05-2025 Heard learned counsel appearing on behalf of the petitioner 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 Mofassil P.S. Case No. 803 of 2024 registered for the offences punishable under Sections 191(2), 126(2), 115(2)



and 109 of the BNS.

3. The allegation against the petitioners is to assault informant by iron rod, fist and slaps, where occurrence alleged to arises out of family dispute.

4. Learned counsel appearing on behalf of the petitioners submitted that out of family dispute certain altercation took place, being aggrieved of which present false case was lodged by informant against petitioners, who are none but the brother, father and sisters of the informant. It is also submitted that no visible injury was caused through alleged assault and further informant not appears examined medically. It is submitted that there was no intention of petitioners to cause death of informant as even alleged assault caused by iron rod not appears repeated. While concluding the argument it is submitted that petitioners are men of clean antecedent.

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

6. In view of aforesaid facts and circumstances and by taking note of nature of accusations, where nature of



injury not appears prima-facie corroborating that the petitioners were under intention to cause death of informant, 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 Additional Sessions Judge-XVII, Gaya/concerned Trial Court where the case is pending in connection with Mofassil P.S. Case No. 803 of 2024 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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