

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7600 of 2025

Arising Out of PS. Case No.-231 Year-2024 Thana- BALIYA District- Begusarai

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1. Md. Khalid S/o- Sabbir Mia @ Md. Shabbir @ Shabbir Miyan R/o- Chhoti Ballia Sattichaura Ps- Baliya Dist- Begusarai
 2. Md. Zahil @ Md. Jahid S/o- Sabbir Mia @ Md. Shabbir @ Shabbir Miyan R/o- Chhoti Ballia Sattichaura Ps- Baliya Dist- Begusarai
 3. Md. Rajjak S/o- Sabbir Mia @ Md. Shabbir @ Shabbir Miyan R/o- Chhoti Baliya Sattichaura Ps- Baliya Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate
For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 15-02-2025

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Baliya P.S. Case no. 231 of 2024 registered under sections 126(2), 115(2), 109, 74, 303(2), 324(4), 324(5), 352, 351(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that while she along with others reached near *madarsa*, the seven named accused persons including the three petitioners herein started to abuse and assault them. Md. Khalid is said to have assaulted Md. Faiyaz causing injury on his head.



4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case because of old dispute between the parties which would be evident from the contents of the FIR itself. The allegations with respect to petitioner nos. 2 and 3 are general and omnibus in nature. With respect to the allegations against petitioner no.1, it is submitted that the so called injury has been found to be simple in nature. The petitioners have no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the specific allegation of assault on Md. Khalid together with corresponding injury having been found on the head of Md. Faiyaz, the Court is not inclined to enlarge the petitioner no.1 Md. Khalid on anticipatory bail and the application is rejected.

7. The petitioner no.1 is directed to surrender in the learned Court below within a period of four weeks.

8. In case the petitioner no.1 so surrenders within the aforesaid period and prays for regular bail, the same shall be considered without being prejudiced by this order of rejection and taking into consideration the nature of injury found in the



report of the Doctor.

9. In view of the facts and circumstances of the case, there being no specific over-act alleged against petitioner no.2 Md. Zahil and petitioner no.3 Md. Rajjak, it is directed that both petitioner nos. 2 and 3, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Baliya P.S. Case no. 231 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai.

(Partha Sarthy, J)

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