

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4528 of 2025**

Arising Out of PS. Case No.-184 Year-2024 Thana- BANJARIA District- East Champaran

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1. Sheikh Barakat S/O Late Shekh Noorul Hooda Resident of Village- Janerwa, P.S- Banjariya, District- East Champaran.
2. Md. Naushad @ Mohammad Naushad Alam S/O Sheikh Barakat Resident of Village- Janerwa, P.S- Banjariya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                     |   |                                         |
|---------------------|---|-----------------------------------------|
| For the Petitioners | : | Mr. Abhishek Kumar, Advocate            |
| For the State       | : | Mr. Parmanand Kumar, APP                |
| For the Informant   | : | Mr. Vijay Shankar Shrivastava, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      24-02-2025                      Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 190, 191(2) (3), 109, 18(1), 303(2) and 352 of the B.N.S..

3. As per prosecution case, Petitioner No. 1 is alleged to be order giver and Petitioner No. 2 is alleged to have assaulted Md. Kashim with iron rod.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are innocent and have committed no offence. Doctor has found the injuries allegedly



caused by Petitioner No. 2 to be simple in nature. There are general and omnibus allegations against Petitioner No. 1. It is further submitted that there is case and counter-case between the parties.

5. On the other hand, learned A.P.P. for the State and learned counsel appearing on behalf of informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. and there is specific accusation that Petitioner No. 2 assaulted cousin of informant, namely Md. Kashim, by means of iron rod.

6. Considering the aforesaid facts and circumstances, nature of accusation, case and counter-case between the parties and nature of injuries sustained by the injured, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with



Banjariya P.S. Case No. 184 of 2024, subject to condition as laid  
down under Section 482 of the B.N.S.S..

**(Prabhat Kumar Singh, J)**

shashank/-

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