

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5799 of 2025

Arising Out of PS. Case No.-161 Year-2024 Thana- MAJORGANJ District- Sitamarhi

Md. Behzad, son of Dilhusan Mansoori, resident of village- Mejorganj, P.S. Mejorgang, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 6300 of 2025

Arising Out of PS. Case No.-161 Year-2024 Thana- MAJORGANJ District- Sitamarhi

1. Nasima Khatoon @ Nasima Khaoon, Wife of Hatish Mansuri, resident of village- Ward No. 13, Mejorganj, P.S.- Mejorgang, District Sitamarhi.
2. Saida Khatoon @ Dukhiya Khatoon, Wife of Jalil Mansuri, resident of – Majorganj, Ward NO. 13, P.S. Majorgang, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 5799 of 2025)
For the Petitioner/s : Mr. Ayush Kumar, Advocate
Mr. Priyanshu Kumar Singh, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP
(In CRIMINAL MISCELLANEOUS No. 6300 of 2025)
For the Petitioner/s : Mr. Ayush Kumar, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 231-01-2025
1.

As both the criminal miscellaneous petitions have arisen out of same P.S. case, hence they are being taken up and decided together.
2.

Heard learned counsel for the petitioners and the learned APP for the State.



3. The petitioners apprehend their arrest in connection with Majorganj P.S. Case No. 161 of 2024 dated 08.05.2024 registered for the offence(s) punishable under Section(s) 147, 148, 149, 188, 333, 337, 341, 342, 353, 427, 323, 307, 363, 365, 120B, 420, 452, 380, 436, 511, 504, 506 and 201 of the Indian Penal Code.

4. The main submissions advanced by petitioners' counsel are that the petitioner Md. Behzad has fair and clean antecedent and against the petitioner Nasima Khatoon @ Nasima Khatoon, who is an old lady, there is one criminal antecedent and against the petitioner, Saida Khatoon @ Dukhiya Khatoon, who is also an old lady, there are two criminal antecedents but they are on bail in the said antecedent cases and the instant matter relates to ruckus created in the police station by a large mob consisting of more than 300 people, in fact, one namely, Aryan Kumar (deceased) son of one Mamta Singh informed his mother on 06.05.2024 about the harassment meted out to him by the police and a demand of Rs. 3,000/- by the police from him and when the said Mamta Singh got information of that incident, she rushed to the place of occurrence and found her son in injured condition, without any mark of accident thereafter her son was rushed to Patna Ruban



Hospital where he was declared dead and thereafter the mother of the deceased attempted to lodge an FIR in connection with the murder of her son, revealing the atrocities by the police, but the FIR was not lodged. Consequently, several persons belonging to the village of Mamta Singh gathered and started demanding action against the police officials of the Majorganj police station but no action was taken and thereafter as per the prosecution's allegation a ruckus was created by the mob consisting of more than 300 persons, though all the petitioners are named in the FIR and are said to be the members of the mob but against them, there is no any specific allegation and no police official sustained injury in the alleged occurrence committed by the large mob and further that violence was not intentional rather the same took place on account of police atrocities committed with an innocent person. It is further submitted that none of the petitioners has any relation or connection to the deceased Aryan Kumar or his family members and they have been made accused mainly on account of being co-villagers of the said deceased.

5. Learned APP appearing for the State has opposed the bail prayer of the petitioners.

6. Considering the aforesaid submissions advanced



by the petitioners’ counsel and mainly the facts that a large crowd consisting of more than 300 persons is alleged to have committed the alleged occurrence and as per the above submissions no police official sustained any injury in the occurrence, in my opinion, it is a fit case for anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Majorganj P.S. Case No. 161 of 2024 on furnishing bail bonds of Rs.20,000/-(Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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