

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8680 of 2025

Arising Out of PS. Case No.-331 Year-2024 Thana- ROHTAS District- Rohtas

1. Tausif Khan @ Tausique Ahmad @ Chhotu son of Hafiz Khan
2. Intekhab Alam @ Prince Khan @ Intekhal Alam son of Tausif Khan.
Both Resident of village- Akbarpur, Ps- Rohtas, Dist- Rohtas
3. Sheikh Dilnawaz @ Bhura son of Sheikh Samshad
4. Shamshad Sheikh son of Late Samshuddin Sheikh.
Both Resident of village- Dhivpur, Uchaila, Ps- Rohtas, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sadanand Roy, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-03-2025 Heard Mr.Sadanand Roy, learned counsel for the

petitioners and Mr.Shailendra Kumar Singh, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Rohtas P.S.Case No.331 of 2024, FIR dated 17.09.2024 registered for the offences punishable under Sections 115(2),117(2),74,329(3),352,3(5) of B.N.S., 2023.

3. Allegation against the petitioners is that they tried to outrage the modesty of informant and they also assaulted the informant and her sons whereby they sustained injuries.

4. Learned counsel for the petitioners submits that petitioner Nos.1,2 and 4 have clean antecedent and petitioner



No.3 carries three more cases other than the present one but he is on bail in all the pending cases. They have falsely been implicated in the present case. Learned counsel for the petitioners submits that it appears from the FIR that the FIR is in two parts. In 1st part, there is specific allegation of assault attributed against co-accused person, namely, Prince that he assaulted to the son of the informant and in 2nd part, there is general and omnibus allegation against all the accused persons including the petitioners that they assaulted to the informant and her sons.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, there is no specific allegation against the petitioners and petitioner Nos.1,2 and 4 have clean antecedent, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 Judicial Magistrate 1st Class, Dehri, Rohtas in connection with Rohtas P.S.Case No.331 of 2024,



subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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