

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7243 of 2025

Arising Out of PS. Case No.-255 Year-2024 Thana- BAUNSI District- Araria

Rizwan @ Md. Rizwan Son of Ibrahim @ Md. Ibrahim Resident of Village -
Dumbra Talhari, Ward No.7, P.S. - Bausi, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-02-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present Criminal Miscellaneous application No. 7243 of 2025 has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as “BNSS, 2023”) for grant of anticipatory bail to the petitioner who is apprehending arrest in connection with Bausi P.S. Case No. 255 of 2024, lodged on 12.11.2024, under Section 191(2), 190, 223, 115(2), 118(1), 126(2), 76, 109 and 303(2) of the Bhartiya Nyay Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against five named accused persons including the present



petitioner, with the allegation that the petitioner assaulted the informant, causing injury.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that, from the contents of the FIR, it becomes crystal clear that there is an ongoing land dispute between the parties, which led to a scuffle and, as a result, the informant was injured. Counsel further submits that proceedings under Section 144 of the Cr.P.C. are pending between the parties. Additionally, Counsel submits that the antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the injury report is annexed as Annexure- 2. Out of the three injuries, two are simple in nature and one is grievous.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. It is directed to the petitioner to surrender before the Trial Court within a period of 4 weeks from today. In case, the petitioner surrenders within four weeks, then the Trial Court is directed to pass order on his surrender-cum-bail



application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J.)

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