

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8333 of 2025

Arising Out of PS. Case No.-167 Year-2023 Thana- KISHANGANJ District- Kishanganj

Dilkash @ Dilkash Alam S/o Mustafa @ Md. Mustafa R/o vill - Faringora
ward no. 09, PS- Kishanganj, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-03-2025 1. Heard learned counsel for the petitioner, Mr. Rabindra Kumar, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 325, 326, 307, 506/34 and 302 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that Munna was caught committing rape of minor granddaughter of his brother, accordingly, the villagers gathered at the house of Shahabuddin for going to the police station when the named accused persons including the petitioner came variously armed and started assaulting his family members. Further, Munna assaulted the son of the informant Abdul by a bamboo on his head causing injury, thereafter Akbar was assaulted by Mustafa



and Saiyada Khatoon on chest by leg and fist on account of which he was having breathing problems. Further, the petitioner acted inappropriately with Anguri and assaulted breaking her teeth, thereafter injured were taken to the hospital where condition of Abdul was serious.

4. At this stage, learned counsel appearing on behalf of the informant submits that Abdul later died.

5. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that only allegation against this petitioner is of assaulting Anguri causing breaking of teeth on which learned counsel appearing on behalf of the informant submits that petitioner is brother of Munna who was caught committing rape of minor granddaughter of the brother of the informant and when the family members were planning to go to the police station for instituting an FIR, the accused persons gathered and thereafter committed the occurrence. It is next submitted that even son of the informant died on account of assault made by Munna. It is also submitted that this petitioner assaulted Anguri brutally leading to breaking of her teeth.

6. Considering the submissions made by the learned counsel appearing on behalf of the informant, the Court is not



inclined to extend the privilege of anticipatory bail to the petitioner in connection with Kishanganj P.S. Case No. 167 of 2023 pending in the Court of learned Chief Judicialf Magistrae, Kishanganj/Successor Court.

(Satyavrat Verma, J)

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