

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16297 of 2025

Arising Out of PS. Case No.-328 Year-2024 Thana- BANJARIA District- East Champaran

1. Bhikhari Miya @ Bhikhari Mian S/O Late Khalil Mian Village- Singhiya Sagar, PS- Banjaria, Distt.- Motihari
2. Naushad Ansari @ Bhaddu @ Md. Naushad Alam S/O Bhikhari Miya @ Bhikhari Mian Village- Singhiya Sagar, PS- Banjaria, Distt.- Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Ranjana Srivastava, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

Mr. Abhishek Kumar, Adv.for Informant

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 30-07-2025 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for Informant.

2. The petitioners apprehend their arrest in Banjaria
P.S. Case No. 328 of 2024 registered for offence under Sections
126(2), 115(2), 118(1), 109, 303(2), 352, 3(5) of the B.N.S.,
2023.

3. As per prosecution case, on 31-01-2024 at about
02:00 P.M. all the F.I.R. named accused persons including these
petitioners came at the door of informant and started abusing
him and on protest, accused persons assaulted him with *garasi*,
farsa and *lathi*, as a result of which, he sustained serious
injuries. Thereafter, accused persons with an intention to



commit murder pressed the neck of informant. During assault, accused persons snatched gold chain worth Rs.85,000/- and cash Rs.60,000/- from the informant. Accused persons also demanded Rs.5,00,000/- as *Rangdari* from the informant and threatened to kill him and his family members.

4. Learned counsel for petitioners submits that petitioners are innocent and have committed no offence. No occurrence took place in the manner, as alleged in the F.I.R. The present case is counter blast of Banjaria P.S. Case No. 334 of 2024, lodged by wife of petitioner no. 1 against informant and others. No specific role has been assigned to these petitioners in the alleged occurrence.

5. However, learned APP and learned counsel for informant vehemently opposed the prayer for anticipatory bail and submitted that petitioners are named in the F.I.R. with specific allegation that they alongwith other assaulted informant, as a result of which, informant sustained three injuries, out of which, injury no. 3 is grievous in nature. Besides this, petitioner no. 1 has three criminal antecedent, whereas petitioner no. 2 has one criminal antecedent.

6. Considering the nature of injury and criminal antecedent of petitioners, the prayer for anticipatory bail of



petitioners is rejected.

(Prabhat Kumar Singh, J)

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