

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13398 of 2025

Arising Out of PS. Case No.-181 Year-2024 Thana- TAJPUR District- Samastipur

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1. MD. FURKAN S/o- Md. Usman Resident of village-Bherokhara Ps- Tajpur, Dist- Samastipur
 2. Md. Reyaj @ Md. Reyaz S/o- Late Md. Ajmat Resident of village-Bherokhara Ps- Tajpur, Dist- Samastipur
 3. Md. Irfan S/o- Md. Kalam Resident of village-Bherokhara Ps- Tajpur, Dist- Samastipur
 4. Md. Irshad @ Md. Raju S/o- Md. Kalam Resident of village-Bherokhara Ps- Tajpur, Dist- Samastipur
 5. Md. Mokhtar S/o- Late Md. Ajmat Resident of village-Bherokhara Ps- Tajpur, Dist- Samastipur
 6. Md. Imran S/o- Md. Kalam Resident of village-Bherokhara Ps- Tajpur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 12-05-2025 1. Learned counsel for the petitioners at the outset seeks permission to withdraw the prayer for anticipatory bail of petitioner no. 2, namely, Md. Reyaj @ Md. Reyaz.
2. Permission is accorded.
3. Accordingly, the prayer for anticipatory bail of petitioner no. 2 is dismissed as withdrawn.
4. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.



5. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 117(2), 109, 303(2), 352 and 351(2) of the Bharatiya Nyaya Sanhita, 2023.

6. Learned counsel for the petitioners submits that petitioners no. 1, 3, 4, 5 and 6 are persons with clean antecedent and the informant alleges that the named accused persons along with 10-15 unknown intercepted him at 12:30 p.m. on 21.07.2024, thereafter Md. Munaa and Md. Kurban gave orders to kill, thereafter Md. Raju and Md. Reyaz assaulted the informant by sword causing injury on head and below the eye, further Md. Guddu assaulted his brother Md. Tabsim Hussain by lathi causing fracture of leg and Md. Imran assaulted Md. Jamil Akhtar with farsa causing injury on head, thereafter Md. Faiyaz assaulted Md. Imraj by sword causing injury on head, thereafter accused persons took Rs.3100/- from the pocket of the informant and when the people started gathering they fled away threatening not to institute a case.

7. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that there is no specific allegation of assault against petitioners no. 1, 3, 4 and 5, though



Md. Imran (petitioner no. 6) is alleged to have assaulted Md. Jamil with farsa but then the injury suffered by Jamil is simple in nature and the blow is not alleged to have been repeated. It is next submitted that informant assaulted the sister-in-law of the petitioners for which Tajpur P.S. Case No. 180 of 2024 was instituted thereafter informant also assaulted their brother-in-law for which Tajpur P.S. Case No. 187 of 2024 was instituted as such the occurrence is alleged to have taken place.

8. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioners but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioners that Tajpur P.S. Case No. 180 of 2024 and Tajpur P.S. Case No. 187 of 2024 have been instituted against the informant and his side and the injury suffered by Jamil is simple in nature.

9. Considering the submissions made by the learned counsel for the petitioners no. 1, 3, 4, 5 and 6, let the petitioners no. 1, 3, 4, 5 and 6 above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two



sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Tajpur P.S. Case No. 181 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Satyavrat Verma, J)

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