

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19043 of 2025

Arising Out of PS. Case No.-554 Year-2024 Thana- NAANPUR District- Sitamarhi

1. Farook @ Md. Farook Son of Ladele@Md. Ladale@ Md. ladal Resident of At and P.O. - Dadri, P.S. - Nanpur, District - Sitamarhi
2. Md. Ladale@ Md. ladal Son of Sadrul Hasan Resident of At and P.O. - Dadri, P.S. - Nanpur, District - Sitamarhi
3. Usman @ Md. Sanu@ Md. usman @ sanu Son of Ladele@Md. Ladale@ Md. ladal Resident of At and P.O. - Dadri, P.S. - Nanpur, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sitaram Prasad, Advocate
For the Informant	:	Ms. Swarnima Neelman Raj, Advocate
For the State	:	Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-05-2025 Heard Mr. Sitaram Prasad, learned counsel for the petitioners, Ms. Swarnima Neelman Raj, learned counsel for the Informant and Ms. Sucheta Yadav, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Nanpur P.S. Case No. 554 of 2024, F.I.R. dated 24.10.2024 registered for the offences punishable under Sections 191(2), 190, 115(2), 118(1), 109, 76, 324(4), 324(5), 352 and 351(2) of the BNS, 2023.

3. The prosecution case, in brief, is that on 23.10.2024 at 9:30 hours while the informant was taking tea in a tea shop, the accused persons including the petitioner variously armed with attacked upon the informant. Accused Anuthe inflicted



sword blow upon the informant. When his brother Imteyajul Hassan came in his rescue, accused Tamanne inflicted Garasa blow upon his head. The accused persons also assaulted his brother Md. Saddam causing fracture in his hand. Md Ladale inflicted sword blow to uncle of the informant. The injured were taken to Sadar Hospital, Sitamarhi for treatment from where injured Imteyajul Hassan was referred to SKMCH Muzaffarpur.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. The present case is counter blast of Nanpur P.S. Case No. 553 of 2024 filed by the wife of petitioner no. 2 against the informant and their family members. Although, petitioners are named in the F.I.R. and there is specific allegation of assault attributed against co-accused person namely Md. Ladala that he assaulted to Md. Saddam, although Md. Saddam received injury but the injury report suggests that the injury is simple in nature and there is no specific allegation of any assault or overt act attributed against the petitioner no. 1, namely, Farook @ Md. Farook and petitioner no. 3, namely, Md. Usman @ Md. Sanu @ Sanu.

5. Learned counsel for the Informant as well as learned APP for the State, on the other hand, opposed the prayer for anticipatory bail of the petitioners and submits that the petitioners are named in the F.I.R. and with common intention



they have assaulted to the family members of the informant and apart from that petitioner no. 1 carries one more case, petitioner no. 2 carries two more cases and petitioner no. 3 carries three more cases other than the present one.

6. Considering the facts and circumstances of the case and there is no specific allegation of any assault or overt act attributed against these petitioners and injury report inflicted upon Md. Saddam is simple in nature, 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Nanpur P.S. Case No. 554 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 :-

(1) 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.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(3) 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 petitioner has 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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