

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17251 of 2025

Arising Out of PS. Case No.-172 Year-2024 Thana- KISHANGANJ District- Kishanganj

1. Manirul Haque @ Manirul S/o Rafique Alam Resident of Ward No.2, Chakla Ghat, P.S. - Kishanganj, District - Kishanganj
2. Umesha Khatoon @ Umesa Bibi W/o Rafique Alam Resident of Ward No.2, Chakla Ghat, P.S. - Kishanganj, District - Kishanganj
3. Rafique Alam S/o Abdul Latif Resident of Ward No.2, Chakla Ghat, P.S. - Kishanganj, District - Kishanganj
4. Gulsana @ Gulsana Khatoon D/o Rafique Alam Resident of Ward No.2, Chakla Ghat, P.S. - Kishanganj, District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Raj Kumar, Advocate
For the State	:	Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-04-2025 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 379, 307, 504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, on 03.05.2024, all these accused petitioners entered into the house of informant and assaulted informant by means of lathi and danda. It is further alleged that Petitioner Nos. 1 and 4 assaulted informant by means of iron rod and accused persons also snatched Rs. 8,000/- cash from pocket of son of informant.



4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. Allegations of assault is general and omnibus and there is no specific accusation of overt act against these petitioners. As a matter of fact, due to trivial issue, a quarrel took place between the parties and taking advantage of the situation, informant lodged this false and concocted case. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. with specific accusation that they entered into house of informant and assaulted him. Doctor has found the injuries, allegedly caused by Petitioner Nos. 1 and 4, to be grievous in nature.

6. Considering the specific and direct nature of accusation and nature of injuries sustained by the injured, the prayer for grant of anticipatory bail to Petitioner Nos. 1 and 4 is rejected.

7. So far as Petitioner Nos. 2 and 3 are concerned, considering the general and omnibus nature of accusation and fact that petitioners have got no criminal antecedents, the prayer



for grant of anticipatory bail to Petitioner Nos. 2 and 3 is allowed.

8. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner Nos. 2 and 3 be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Kishanganj in connection with Kishanganj P.S. Case No. 172 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

9. With the aforesaid directions, this application stands disposed of.

(Prabhat Kumar Singh, J)

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