

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18329 of 2025

Arising Out of PS. Case No.-650 Year-2023 Thana- BASANTPUR District- Siwan

1. Sabib Mian @ Sabir Mian S/o- Islam Mian Village - Choti Lakari, P.S.-Lakri Naviganj District- Siwan
2. Aliraja Hussain @ Aliraja Mian S/o- Ishlam Mian Village - Choti Lakari, P.S.-Lakri Naviganj District- Siwan
3. Roshan Ali S/o- Aliraja Mian Village - Choti Lakari, P.S.-Lakri Naviganj District- Siwan
4. Dastgir Alam S/o- Aliraja Village - Choti Lakari, P.S.-Lakri Naviganj District- Siwan
5. Nihaluddin S/o-Aliraja Mian Village - Choti Lakari, P.S.-Lakri Naviganj District- Siwan

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv.
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The accused/petitioners are named in the FIR

and apprehending their arrest in connection with Basantpur

P.S. Case No. 650 of 2023 registered under Sections 341,

323, 307, 376, 511, 354, 427, 504, 506/34 of the Indian

Penal Code.

3. The allegation against all above-mentioned

petitioners is to assault the informant and her mother and



also made an attempt for committing rape upon the informant during the occurrence.

4. It is submitted by the learned counsel appearing for petitioners that the present FIR which was lodged on the basis of the complaint case bearing no. 1961 of 2023 dated 03.10.2023 which was lodged to counter the earlier case lodged by the petitioners side which was registered as Basantpur P.S. Case No. 435 of 2023. It is pointed out that the complaint petition which is the basis of FIR itself suggest that the injured persons were not examined medically and moreover the allegations regarding attempt to committing rape is to aggravate the allegations *qua* petitioners. All petitioners are said to be man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of the above-mentioned factual submissions and by taking note of the fact that, as admittedly the injured persons were not medically examined in support of offences alleged under Section 307 of the IPC, where the present FIR is based upon the complaint case as discussed



aforesaid appears to be lodged in the background of previous enmity, accordingly, the petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-cum-Special Court, Siwan in connection with Basantpur P.S. Case No. 650 of 2023 subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the B.N.S.S.

(Chandra Shekhar Jha, J)

Siddharth Soni/-

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