

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21207 of 2025

Arising Out of PS. Case No.-23 Year-2024 Thana- SAHARGHAT District- Madhubani

Istiyak Ahmad S/o Basir Ahmad Resident of Village- Utra, P.S.- Saharghat,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-04-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Saharghat P.S. Case No. 23 of 2024 lodged on 24.03.2024, for the offence punishable under Sections 341, 323, 448, 354(B), 379, 504 & 34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against three named accused persons including the present petitioner. It has been alleged in the FIR that all the accused persons entered in the informant's house and assaulted the informant's husband with lathi, *khanti* and iron rods and when informant went to save her husband then they also assaulted her. Accused persons also



tried to outrage the modesty of the informant's daughters and subsequently, took away cash & clothes worth Rs.80,000/- (Rupees Eighty Thousand), Jewellery and clothes worth Rs. 2,00,000/- (Rupees Two Lakhs) and a gold chain from the informant's neck.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the petitioner and the informant's husband are full brothers and due to petty matter between their families, scuffling took place which resulted into filing of the present case. Counsel submits that for the same date and place of occurrence, there is case and counter case i.e. one case has been lodged from the petitioner's side bearing Saharghat P.S. Case No. 21 of 2024 and the present case has been lodged from the informant's side bearing Saharghat P.S. Case No. 23 of 2024. Counsel further submits that the petitioner has no criminal antecedent. Counsel submits that the present case has been lodged from the informant's side only with a view to save the skin from the case lodged by the petitioner's side earlier.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that the petitioner and the informant's husband are full brothers and for the same date and



place of occurrence, there is case and counter case.

6. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate 1st Class, Madhubani, in connection with Saharghat P.S. Case No. 23 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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