

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20731 of 2025

Arising Out of PS. Case No.-192 Year-2024 Thana- BAHADURGANJ District- Kishanganj

1. Laifun Nisha W/o- Yunus Village- Satal Istmrar Ps- Bahadurganj Dist- Kishanganj
2. Fatma Begum @ Fatma @ Fatema W/o- Halim Village- Satal Istmrar Ps- Bahadurganj Dist- Kishanganj
3. Rukhsar @ Ruksar Parween @ Ruksar Parween W/o- Akhtar Village- Satal Istmrar Ps- Bahadurganj Dist- Kishanganj
4. Zubair @ Zubed Alam S/o- Satamijuddin Village- Satal Istmrar Ps- Bahadurganj Dist- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hafiz Shahbaz Arif, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-05-2025 Heard Mr. Hafiz Shahbaz Arif, learned counsel for the
petitioners and Mr. Parmanand Kumar, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Bahadurganj P.S. Case No. 192 of 2024, F.I.R. dated 11.07.2024 registered for the offences punishable under Sections 191(2), 191(3), 190, 324(4), 305(1), 125(1), 125(2), 126(2), 115(2), 117(2), 118(2), 352, 351(2) of the B.N.S, 2023.

3. As per allegation, the petitioners and others broke house of the informant and stolen articles for making way through personal land of the informant and the accused persons assaulted the informant, his mother, his uncle, brother and niece.



4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that although the petitioners are named in the F.I.R. but from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against these petitioners rather there is specific allegation of assault attributed against co-accused persons namely Md. Musabbir, Naushad, Munna and Akhtar and it appears from the F.I.R. itself that due to land dispute, the present occurrence had taken place.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedents and there is no specific allegation against these petitioners, 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, Kishanganj in connection with Bahadurganj P.S. Case No. 192 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 petitioners have 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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