

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21509 of 2025**

Arising Out of PS. Case No.-31 Year-2025 Thana- BAKHARI District- Begusarai

1. Sikandar Sada S/O Narayan Sada R/O Vill.- Shiv Nagar Ghaghra, P.S.- Bakhri, Dist.- Begusarai.
2. Om Kumar S/O Sikandar Sada R/O Vill.- Shiv Nagar Ghaghra, P.S.- Bakhri, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate
For the Opposite Party/s : Mr. Mukesh Kumar Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-04-2025 Heard Learned Counsel for the petitioners and
Learned A.P.P for the State.

2. The petitioners are apprehending arrest in connection with Bakhri P.S. Case No. 31 of 2025 lodged on 30.01.2025, for the offence punishable under Sections 126(2), 115(2), 109(1), 103(1), 352 & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against three named accused persons (including the present petitioners) and four unknown persons against whom there is an allegation that they have assaulted the informant with iron rod and bricks



and when the informant's mother came to rescue, then petitioner no.1 assaulted the informant's mother with brick on her head due to which she fell down and later on, during her treatment, she died.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that both the parties are agnates to each other and there is dispute for the path between the parties. Counsel submits that the petitioners have falsely been implicated in this case. Counsel further submits that the petitioners have no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that the witnesses in para nos.4, 5, 9 and 25 of the case diary have supported the case of prosecution and para no.12 of the case diary is inquest report, which also corroborates the prosecution version.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners are hereby rejected.

7. It is directed to the petitioners to surrender before the Trial Court within a period of 4 weeks from today. In case, the petitioners surrenders within four weeks, then the Trial



Court is directed to pass order on their surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioners has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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