

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22931 of 2025

Arising Out of PS. Case No.-173 Year-2001 Thana- FORBESGANJ District- Araria

1. Sushil Vishwas @ Sushil Mandal Son of Late Gado Vishwas Resident of village - Lahasunganj, Ward No.- 1, P.S.- Simraha, District - Araria
2. Rajesh Kumar Mandal @ Rajesh Kumar Vishwas @ Rajesh Mandal Son of Sri Surendra Prasad Vishwas @ Surendra Kumar Prasad Resident of village - Lahasunganj, Ward No.- 1, P.S.- Simraha, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Thakur, Advocate Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 30-04-2025 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Forbesganj P.S. Case No. 173 of 2001 registered on 06.06.2001 for the offences punishable under Sections 452, 380, 376, 511 of the Indian Penal Code and the cognizance has been taken under Sections 457, 376, 511 of the Indian Penal Code.

3. As per the prosecution, the F.I.R. has been lodged against the accused persons on the basis of a complaint, which was subsequently converted into an F.I.R.

4. Learned counsel for the petitioner submits that upon completion of investigation, the police have submitted a



final form stating that the case is absolutely false under the Indian Penal Code. However, the learned Magistrate, differing with the final form, has taken cognizance of offences under Sections 457, 376, and 511 of the I.P.C. that has given rise to a cause of action for the petitioner to seek anticipatory bail.

5. Learned APP for the State opposes the prayer for anticipatory bail.

6. Considering the fact that the police have submitted a final form on the same set of materials, and the learned Magistrate has taken cognizance based on those very materials, this Court deems it just and proper to grant anticipatory bail to the petitioners. Accordingly, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, the petitioners shall be released on anticipatory bail on furnishing bail bonds of ₹30,000/- (Thirty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Araria, in connection with Forbesganj P.S. Case No. 173 of 2001, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J)

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