

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24585 of 2025

Arising Out of PS. Case No.-77 Year-2024 Thana- GORADIH District- Bhagalpur

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1. Bibi Hafiza @ Hafiza Khatoon W/o- Late Suleman Mansuri @ Late Suleman Mansur village - Jaikhut, P.S. - Gauradih, Dist. - Bhagalpur
 2. Md. Alauddin Mansur @ Alauddin Mansur S/o- Late Md. Kasim Mansur @ Kasim Mansur village - Jaikhut, P.S. - Gauradih, Dist. - Bhagalpur
 3. Bechan @ Md. Bechan @ Sajjad Mansur S/o- Md. Alauddin Mansur @ Alauddin Mansur village - Jaikhut, P.S. - Gauradih, Dist. - Bhagalpur
 4. Md. Firoz Mansur S/o- Md. Alauddin Mansur @ Alauddin Mansur village - Jaikhut, P.S. - Gauradih, Dist. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-05-2025 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Goradih P.S. Case No. 77 of 2024 for the offence registered under sections 191(2), 190, 115(2), 117(2), 109, 118(1), 303(2), 352, 351(2)(3) BNS lodged on 19.07.2024 by the informant, Bibi Mumtaz Khatoon.

3. As per the prosecution story, the informant alleged that the accused persons entered the house and assaulted the informant's side. The allegation is that:



(i) Saddam assaulted on the head as also on the leg and hand causing broken of hand of the informant;

(ii) Firoz, Mansur and Ajmeri assaulted her son, Sahid Mansur on his head by knife;

(iii) Bechan @Sajjan assaulted her son, Salman Mansoor on the head by lathi;

(iv) Ajmeri Khatoon assaulted his son and her daughter;

(v) allegation of assault is also on Gudiya, Ajmeri and Shahnaj Khatoon.

3. They were taken to the Jawaharlal Nehru Medical College and Hospital for treatment and in the meantime, allegation is that Salauddin put her house on fire. This led to the FIR.

4. Learned Counsel for the petitioners submit that though allegation of assault is on all the family members, the fact remains that there is a delayed FIR, main allegation is against Saddam who assaulted the informant and led to broken hand, the injury has been found to be grievous in nature. He has taken this Court to the different Annexures to show that the other accused persons who are present in the petition, the assault



inflicted by them have been found to be simple in nature on Md. Sahid as also Salman Mansoor. Further, the last submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 5,000/- each (totaling Rs. 20,000/-) through Demand Draft issued by the local State Bank of India branch to be submitted before the Trial Court to be handed over to the informant after checking the credentials.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that allegation of assault is against all the accused persons including some of the petitioners herein.

6. Considering the submissions of the parties, the fact remains that the main allegation is against Saddam who caused grievous injury to the informant. Though allegation of assault is on these petitioners too, they have been found to be simple in nature, in that background, this Court is inclined to grant them the anticipatory bail with conditions subject to payment of Rs. 5,000/- each (totaling Rs. 20,000/-) to Bibi Mumtaz Khatoon as undertaken by the learned counsel for the petitioner to be paid



by Demand Draft of local State Bank of India to be submitted before the Trial Court and finally to be handed over to Bibi Mumtaz Khatoon after checking the credentials.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-VIII, Bhagalpur in connection with Goradih P.S. Case No. 77 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioners shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioners shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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