

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24022 of 2025**

Arising Out of PS. Case No.-292 Year-2024 Thana- BALIYA District- Begusarai

1. Md. Ansarul Haque @ Md. Ansar Son of Md. Hemazul Resident of Village- Kasba PS -Balial District -Begusarai
2. Md. Raju @ Md. Rashid son of Md. Ansarul Haque @ Md. Ansar Resident of Village- Kasba PS -Balial District -Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                   |
|--------------------------|---|-----------------------------------|
| For the Petitioner/s     | : | Mr. Amar Kumar Singh, Advocate    |
| For the Opposite Party/s | : | Mr. Ram Sevak Choudhary, A.P.P.   |
| For the Informant        | : | Mr. Sandip Kumar Gautam, Advocate |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      30-04-2025                      Heard learned counsel for the petitioners, informant and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 329(3), 115(2), 74, 303(2), 324(4), 352, 351(2), 109(1), 351(3) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, informant, namely, Mohiwa Khatoon alleged that on 03.09.2024 at about 7:30 PM, while she was at her house, in the meantime, all the F.I.R. named accused persons including these petitioners armed with sticks, rods and spears, came there and surrounded her and started abusing. When informant raised alarm, her husband and



daughter came to save her, then all the accused persons brutally assaulted her husband and daughter due to which they sustained injuries and were taken to hospital. It is further alleged that accused persons also looted Rs. 50,000/- cash, gold and silver ornaments worth Rs. 1.5 lacs and vandalized house of informant.

4. Learned counsel for the petitioners submits that both the parties are co-villagers and on a trivial issue, a free fight took place between them in which both sides sustained injury. Case and counter case. As a matter of fact, during altercation, e – rickshaw ( Toto) fell upon Md. Jalal due to which husband of informant sustained injuries. F.I.R. has been lodged after inordinate delay of six days which itself raises doubt over veracity of the prosecution case. Allegation of assault is general and omnibus and there is no specific allegation of overt act against petitioners.

5. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the prayer for bail and submitted that petitioners are named in the F.I.R., and there is specific allegation against these petitioners along with other co-accused persons assaulted husband of informant due to which husband of informant sustained grievous injury.



6. Considering the nature of accusation and nature of injury, prayer for pre-arrest bail of the petitioners is rejected.

**(Prabhat Kumar Singh, J)**

Navya/-

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