

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27277 of 2025

Arising Out of PS. Case No.-264 Year-2024 Thana- DHORAIYA District- Banka

1.

Bibi Nuresha Khatoon @ Bibi Nursa Khatoon wife of Md. Faruk Ansari Village- Chandrapura PS -Dhoraiya District -Banka
2.

Faruk Ansari Son of Late Fakruddin Village- Chandrapura PS -Dhoraiya District -Banka
3.

Sanaul Ansari @ Md. Sainullah Son of Faruk Ansari Village- Chandrapura PS -Dhoraiya District -Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiw Kumar Prabhakar, Adv.
For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-05-2025 Heard Mr. Shiw Kumar Prabhakar, learned counsel
for the petitioner and the State.

2. The petitioners apprehend their arrest in connection with Dhoraiya P.S. Case No. 264 of 2024 for the offence registered under sections 126(2), 115(2), 117(2), 76, 118(1), 127(2), 352, 351(2) and 3(5) of BNSS lodged on 31.07.2024 by the informant, Mahmud Alam.

3. As per the prosecution story, the informant alleged that while he was irrigating his land, the accused armed variously came and attacked him. When his son came to rescue, they assaulted him brutally causing fracture in his right leg, as



the wife came to save them, allegation is that Shahid threw her down and tried to outrage her modesty. The informant was treated at Dhoraiya Primary Health Centre while the son was referred to Mayaganj Hospital, Bhagalpur for better treatment. This led to the FIR.

4. Learned Counsel for the petitioners submits that omnibus allegation is against all the accused persons, infact, everyone have been implicated, though there was altercation with Shahid, one of the petitioner is a lady, to show their bonafied, they intend to pay Rs. 10,000/- to the son of the informant while Rs. 5,000/- each to the informant and his wife (totaling Rs. 20,000/-) towards treatment cost through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials. The last submission is that the petitioners do not have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that though there is omnibus allegation, the fact remains that the son suffered fracture.

6. Considering the submissions of the parties as also



that one of the petitioner is a lady, none have criminal antecedent, omnibus allegation is there, in that background, this Court is inclined to grant them the anticipatory bail with conditions subject to payment of Rs. 20,000/- as recorded above, to be handed over to the informant, his wife and son as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

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 Court of CJM, Banka in connection with Dhoraiya P.S. Case No. 264 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 petitioner nos. 2 and 3, namely, Faruk Ansari and Sanaul Ansari shall appear before the concerned police station every fortnight for next one 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/-

U		T	
---	--	---	--

