

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27353 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- PAHARPUR District- East Champaran

1. Vjir Mian @ Vjir Havarai S/o- Khalil Mian Village- Vishunpur Matiyarwa W.No-1, Ps- Paharpur Dist- East Champaran
2. Sakina Khatoon @ Sakim Khatoos W/o- Vjir Mian @ Vjir Havarai Village- Vishunpur Matiyarwa W.No-1, Ps- Paharpur Dist- East Champaran
3. Najir Mian S/o- Khalil Mian Village- Vishunpur Matiyarwa W.No-1, Ps- Paharpur Dist- East Champaran
4. Jahur Mian S/o- Khalil Mian Village- Vishunpur Matiyarwa W.No-1, Ps- Paharpur Dist- East Champaran
5. Samir Alam S/o- Funi Mian Village- Vishunpur Matiyarwa W.No-1, Ps- Paharpur Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Sanjay Kumar Tiwari, Advocate
For the State	:	Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 23-06-2025 Heard learned counsel appearing on behalf of the petitioners and learned A.P.P. appearing on behalf of the State.

2. At the outset, learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application on behalf of Petitioner No. 3, namely Najir Mian, as during pendency of this case, Petitioner No. 3 has already been arrested and the same has become infructuous.

3. Permission, as prayed for, is accorded.

4. Accordingly, this anticipatory bail application on



behalf of Petitioner No. 3 stands dismissed as withdrawn.

5. Petitioner Nos. 1, 2, 4 and 5 apprehend their arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 118(1), 109(1), 329(4), 352 and 3(5) of the B.N.S..

6. As per prosecution case, it is alleged that when informant went to demand his due wages, all the F.I.R. named accused persons, including these petitioners, brutally assaulted him.

7. It is submitted by learned counsel for the petitioners that petitioners are innocent and have falsely been implicated in this case. As a matter of fact, informant had taken loan of Rs. 2,70,000/- from Petitioner No. 1 and when he demanded his money back, this false and concocted case has been lodged. There is no chit of paper on record in support of the allegations levelled against these petitioners. Allegation of assault is general and omnibus and there is no specific accusation of overt act against these petitioners. Petitioners claim clean antecedents.

8. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

9. Considering the general and omnibus nature of



accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the Petitioner Nos. 1, 2, 4 and 5 is allowed.

10. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner Nos. 1, 2, 4 and 5 be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, East Champaran, Motihari in connection with Paharpur P.S. Case No. 10 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

11. Accordingly, this application stands disposed of.

(Prabhat Kumar Singh, J)

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