

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29985 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- GORADIH District- Bhagalpur

1. Md. Izharul Haque @ Izharul Haque S/O Md. Nurul Hasan @ Late Md. Nurul Haque R/O Village- Pithna, P.S- Goradih, Distt.- Bhagalpur (Bihar).
2. Md. Shah Khalid @ Tinku @ Rinku S/O Md. Izharul Haque R/O Village- Pithna, P.S- Goradih, Distt.- Bhagalpur (Bihar).
3. Md. Shah Fahad S/O Md. Izharul Haque @ Izharul Haque R/O Village- Pithna, P.S- Goradih, Distt.- Bhagalpur (Bihar).
4. Md. Anwar Haque @ Anavarul Hak S/O Maqbool Haque @ Makabul Husain R/O Village- Pithna, P.S- Goradih, Distt.- Bhagalpur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Atul Dayal

For the Opposite Party/s : Mr. Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-05-2025 1. Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Goradih Police Station Case No. 21 of 2025,
disclosing offences under Sections 191(2), 190, 126(2), 115(2),
109, 303(2), 121(2), 132, 121(i) of the BNS, 2023.

3. As per the prosecution case, on 22.01.2025,
Junior Electrical Engineer Deepak Kumar Rahi, during an
inspection, found that petitioner no. 2 was stealing electricity.
When he began recording video evidence, all the petitioners



allegedly attacked him and his staff with an intention to kill, using sticks and by physically assaulting them. They also snatched his phones, documents, and Rs. 4715/-. Police later arrived and rescued them. While sitting in the police van, an unknown woman hit staff member Kundan Kumar with a PVC pipe and broke the van's glass.

4. Learned Counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged. There is no credible independent witness. No recovery has been made from the petitioners to suggest theft of electricity or involvement in any assault or snatching. Three persons along with the informant have been injured and all injuries are simple in nature except of Kundan Kumar. Learned counsel next submits that fact of the matter is that some persons forcibly entered into the house of the petitioners and misbehaved with the women. On protest, they assaulted their family members and fractured the little finger of petitioner no. 2. In this regard, an application has been given to local police station but nothing has been done. Thereafter, wife of petitioner no. 1 namely Sakina Khatoon gave application to SSP, Bhagalpur through speed post but nothing has been done up till date.

5. Having regard to the submissions made on



behalf of the parties and taking into consideration the fact that there is allegation upon the petitioners that they assaulted the government officials and prevented them in discharge of their official duty. They are also named in the F.I.R. They along with the co-accused created unruly scene when the government officials arrived to discharge their official duty. An attack on government officials while on official duty undermines the safety and security of law enforcement agency. Incidents of mob violence against law enforcement agency have become the order of the day now in this State which can be very dangerous, often escalating tensions and compromising public safety, accordingly, I am not inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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