

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29957 of 2025

Arising Out of PS. Case No.-264 Year-2024 Thana- KASBA District- Purnia

Md. Tasikul Son of Late Shamshul Haque Resident of Village - Betauna,
Ward No.- 4, P.S.- Kasba, District - Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ansul, Sr. Advocate
Mr. Tooba Hera, Advocate
Mr. Pratyush, Advocate
For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Kasba P.S. Case No. 264 of 2024, dated 03.11.2024, lodged under Sections 191(2), 191(3), 190, 115(2), 352, 351(2), 109, 303(2) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against twenty three named accused persons including the present petitioner with an allegation that they all reached at the land of the informant and started abusing as well as they have brutally assaulted the informant side due to which injury has been caused to the son of the informant, bleeding started thereafter,



the elder son and maternal grandson reached there, they have also been assaulted.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that from bare perusal of the FIR, two things are very much clear that name of twenty three accused persons have been inserted in this case, the dispute has taken place on the land where informant was present and secondly that only name of the injured person has been inserted but who made the assault has not been disclosed. Counsel submits that for the same date and place of occurrence, one case has been filed from the petitioner's side and in the said FIR, it has been categorically indicated that petitioner was assaulted by the informant side namely, Nasim resulting into head injury to the petitioner. Counsel further submits that petitioner has no criminal antecedent and he is the person who suffered injury and in the FIR, there is nothing specific against anyone particularly no act or overt act has been disclosed against present petitioner.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on



anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned Chief Judicial Magistrate, Purnia, in connection with Kasba P.S. Case No. 264 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

Sudhanshu/-

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