

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33889 of 2025

Arising Out of PS. Case No.-307 Year-2024 Thana- MAHARAJGANJ District- Siwan

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Gumani Ansari Son of Islam Miya Resident of Village - Chhotka Teghra,
Police Station - Maharajganj, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr. Kanhiya Kishor, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-06-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner apprehends arrest in connection with

Maharajganj P.S. Case No. 307 of 2024, instituted for the
offences punishable under Sections 115(1), 126(1), 85, 303(1),
109(1), 351(1) and 352 of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused persons entered into the house of
the informant and assaulted her by means of *lathi*, *danda* as a
result of which she sustained head injury. It is further alleged
that they have committed theft of Rs. 50,000/- and ornaments
kept in a box and also threatened her with dire consequences.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner submits that no specific allegation has been attributed against the petitioner, rather the same is general and omnibus in nature. Both the parties are close *pattidar* and there is previous family dispute in between them. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 22.01.2025 passed in Cr. Misc. No. 1345 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submits that the petitioner along with other co-accused persons have assaulted on the head and neck of the informant by means of *lathi* and *danda*, but from perusal of the injury report, it appears that the injury is grievous in nature and head is vital part of the body. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner.



7. The prayer is rejected. However, the petitioner is directed to surrender in the Court below and pray for regular bail. If any such application is filed, the Court below shall consider and dispose of the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Rajorshi/-

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