

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33474 of 2025

Arising Out of PS. Case No.-521 Year-2024 Thana- SUPAUL District- Supaul

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1. Shamerun Nisha @ Masomat Samerun @ Maso Samerun W/O Late Md. Afak @ Late Mohammad Afak
 2. Shahnaj Khatun @ Shahnaj Praveen D/o Late Md. Afak @ Late Mohammad Afak Resident of Village- Parsa, Ward No. 02, Police Station - Supaul, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Advocate

For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-05-2025 Heard Mr.Arun, learned counsel for the petitioners
and Mr.Anil Kumar, learned Additional Public Prosecutor for
the State.

2. The petitioners are apprehending their arrest in
connection with Supaul P.S.Case No.521 of 2024, FIR dated
05.08.2024 registered for the offences punishable under
Sections 126(2),115(2),118(1),75,109,352,3(5) of BNS.

3. As per FIR, allegation against the petitioners is that
they caught hold the injured and the accused Md. Firoz has
inflicted 11 stab injuries by sharp edged knife.

4. Learned counsel for the petitioners submits that the
petitioners have clean antecedent and they have falsely been
implicated in the present case. The allegation as alleged in the



FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. Although it appears from the FIR that the informant is not the eye witness of the alleged occurrence and as per allegation in the FIR, co-accused Md. Firoz has inflicted knife blow upon the victim and allegation against the petitioners is that they caught hold the victim and co-accused person, namely, Md. Firoz has inflicted knife blow upon the victim.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent, there is no specific allegation of any assault or overt-act attributed against the petitioners and specific allegation of assault is attributed against co-accused person, namely, Md. Firoz, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 Chief Judicial Magistrate, Supaul in connection with Supaul P.S.Case No.521 of 2024, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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