

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36398 of 2025

Arising Out of PS. Case No.-78 Year-2024 Thana- PAHARKATTA District- Kishanganj

Saha Anwar @ Buchun Son of Taiyab Ali village- Fulhara ward no. 3 Ps-
Pahar katta District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Paharkatta P.S. Case No. 78 of 2024 instituted for the offences under Sections 109(1), 115(2), 117(2), 118(1), 126(2), 190, 191(2), 191(3), 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that, on the alleged date and time of occurrence, the petitioner and other co-accused persons were ploughing the fields of the informant in illegal manner. When the informant opposed, the accused persons started abusing and assaulted the brothers of the informant. It is further alleged that on the orders of co-accused Hakimuddin, all



the accused persons assaulted the brothers of the informant. It is also alleged that co-accused Anwar assaulted the informant's brother namely, Roshan Ali with axe on his head repeatedly.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The specific allegation of assaulting the informant's brother Roshan Ali is against co-accused Anwar. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent. The co-accused persons have already been granted anticipatory bail by this Court vide order dated 27.03.2025 passed in Cr. Misc. No. 79810 of 2024, Cr. Misc. No. 83306 of 2024 and Cr. Misc. No. 6469 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Paharkatta P.S. Case No. 78 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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