

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35082 of 2025

Arising Out of PS. Case No.-97 Year-2025 Thana- Sahayak Khajanchi District- Purnia

1. Md. Pintu @ Md. Mintu Son of Late Md. Islam Resident of village- Moulavi Bari Bhatta Bazar, P.S- K. Hat, Dist- Purnea
 2. Md. Bilal @ Md. Belal @ Md. Belal Ahmad Son of Late md. Taslim Haji Resident of village- Moulavi Bari Bhatta Bazar, P.S- K. Hat, Dist- Purnea
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Hussain, Adv.
For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 20-08-2025 Heard Learned Counsel for the petitioners and
learned APP for the State.

2. Learned counsel for the petitioners submits that during pendency of the present bail application, petitioner No.1 has been arrested. Therefore, he is not pressing anticipatory bail application for petitioner No.1.

3. The petitioner No.2 is apprehending arrest in a case registered for the offences punishable in connection with Sahayak Khajanchi Hat P.S. Case No.97 of 2025 under Sections 126(2), 189(2), 189(4), 115(2), 109, 74, 352 and 351(2) of the BNS, 2023 pending before the court of C.J.M., Purnea.

4. As per the prosecution, the FIR has been lodged against 4 named and 10-15 unknown accused persons against whom there is allegation of assault of the informant's daughter and also thrown bricks and stones at the house of the informant.



5. Learned Counsel for the petitioner No.2 submits that the petitioner No.2 is innocent and has committed no offence. He submits that name of petitioner No.2 has figured in this case by virtue of co-accused persons and his name has falsely been implicated in the present case.

6. Learned Counsel also submits that antecedent of the petitioner No.2 is clean.

7. Learned APP for the State opposes the prayer for bail and submits that there is specific allegation of assault in the FIR against the petitioners due to which injury has been caused.

8. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner No.2, therefore the bail application of the petitioner No.2 is hereby rejected.

9. However, trial court is directed to consider the regular bail application of the petitioner No.2 , if he surrenders within 4 weeks from today and prays for regular bail, then trial court shall pass order on merit without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

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