

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36397 of 2025

Arising Out of PS. Case No.-12 Year-2024 Thana- NAANPUR District- Sitamarhi

Md. Mumtaz Ansari @ Mumtaz Ansari @ Md. Mumtaz @ Momtaz Ansari
S/O Late Md. Alauddin Ansari @ Late Alauddin Ansari R/O village - Nanpur
@ Nanpur ward no. -8, P.S. - Nanpur, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Mobassar Ali

For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 27-06-2025 1. Heard learned counsel for the petitioner and learned A.P.P. for the State as well as learned counsel appearing on behalf of the O.P. No.2.
2. The petitioner apprehends his arrest in connection with Nanpur P.S. Case No.12/2024, registered for the offence punishable under Sections 341, 323, 324, 354(B), 506 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that petitioner had earlier moved this court seeking anticipatory bail by filing Cr. Misc. No.59244/2024 and the same was disposed of in terms of order dated 13.02.2024 passed in Cr. Misc. No.3536/2024 (Naushad Ansari vs The State of Bihar) by an order dated 09.09.2024 (Annexure-1). From perusal of order



dated 09.09.2024 in Cr. Misc. No.59244/2024, it manifests that petitioner was given a period of three weeks time for filing an application before the Superintendent of Police and the I.O. of the case in terms of order dated 13.02.2024 in Cr. Misc. No.3536/2024. The period of three weeks was expiring on 30.09.2024. It appears that petitioner for reason best known did not file any application before the Superintendent of Police and the I.O. of the case till 27.09.2024 rather was waiting for the last date to file a representation i.e. 30.09.2024. The police during the course of investigation found that some of the injury suffered by the injured is grievous in nature, as such filed an application before the learned trial court seeking addition of Section 307 of the Indian Penal Code in the FIR, the learned trial court after going through the application filed on behalf of the Investigating Officer found the material sufficient for adding Section 307 of the Indian Penal Code in the FIR and accordingly, the same was added in the FIR by an order dated 27.09.2024. The petitioner is alleged to have assaulted the informant, who is his mother-in-law by lathi on head, further Mustaque Ansari is alleged to have assaulted by knife causing injury on her nose, ear and face while Nikhat Khatoon assaulted the informant.



4. Since there is specific allegation against the petitioner of assaulting his mother-in-law by lathi causing injury on head, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

5. The anticipatory bail application of the petitioner is rejected.

(Satyavrat Verma, J)

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