

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37048 of 2025

Arising Out of PS. Case No.-93 Year-2025 Thana- CHAKIA District- East Champaran

1. Gudiya Khatoon @ Shamima Khatoon W/o- Syeed Badruddaza Village- Paithaniya Tola Ps -Chakiya District- East Champaran
2. Md. Prince @ Ayan Doza S/o- Syeed Badruddaza Village- Paithaniya Tola Ps -Chakiya District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 03-09-2025

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for grant of anticipatory bail apprehending their arrest in connection with Chakiya P.S. Case no.93 of 2025 registered for the offence punishable under sections 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per prosecution case, the two petitioners herein are said to have come variously armed and of having assaulted the informant with *dabia*, *lathi* etc. causing injuries on various parts of the body.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. In



reference to the order of the learned Court below it is submitted that though one of the injuries has been stated to be grievous in nature, however, subsequently in course of investigation a medical board was constituted for examining the informant. The injured informant did not appear before the medical board and the medical board was of the opinion that the nature of injury not being grievous, he has chosen not to appear. The petitioners have no criminal antecedent and undertake to cooperate in the investigation/trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioners in the F.I.R., the informant not having appeared before the medical board for assessment of the nature of his injury and specially the petitioners not having any criminal antecedent, it is directed that the petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Chakiya P.S. Case no.93 of 2025 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned



Chief Judicial Magistrate, Motihari, East Champaran.

(Partha Sarthy, J)

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