

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40165 of 2025

Arising Out of PS. Case No.-184 Year-2023 Thana- SONBERSHA RAJ District- Saharsa

Md. Dildar S/O Md. Jarif @ Md. Jarif Rayeen R/O Village- Bhavra, Ward no
3, PS- Sonbarsa Raj, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 17-10-2025 Heard the learned Counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sonbarsa Raj P.S. Case No. 184 of 2023, registered for the offences punishable under Sections 341, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code.

3. The prosecution case, as per the First Information Report, is that, on 21.07.2023 in the evening about 8:15 p:m, the informant son was returning from his sister's house on a motorcycle, he was surrounded by the petitioner and other accused person. They tried to snatch the motorcycle. On protest, the petitioner assaulted the informant's son with weapon on his head due to which he sustained serious head injury.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case as a counterblast to the Sonbarsa Raj P.S. Case No. 168 of 2023 lodged by accused no. 1, namely, Md. Murtuja against the informant's son alleging therein that the informant's son, on the date of the occurrence i.e. on 21.07.2023, was caught while he was snatching money from Siya Ram Mukhiya. On raising alarm, several villagers arrived and apprehended informant's son, namely, Rajeev Kumar. Upon search five live cartridges were recovered from his possession. The informant's son was arrested and remanded in Sonbarsa Raj P.S. Case No. 168 of 2023 lodged on the very same date of occurrence i.e. on 21.07.2023. After a lapse of about 20 days, mother of Rajeev Kumar has lodged the present FIR on the basis of concocted story that his son was accosted by petitioner and others and the petitioner assaulted him on his head.

5. Regards being had to the submissions made by the parties taking into consideration the fact that prior to the present FIR, for an occurrence which had taken place on the same date i.e. on 21.07.2023, the informant's son was made accused in Sonbarsa Raj P.S. Case No. 168 of 2023 and there is delay in lodging the present FIR, I am inclined to grant the petitioner privilege of anticipatory bail.



6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa, in connection with Sonbarsa Raj P.S. Case No. 184 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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