

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38802 of 2025

Arising Out of PS. Case No.-44 Year-2025 Thana- NUAOW District- Kaimur (Bhabua)

Manjur Khan S/O Neshar Khan @ Nesar Khan Resident of Village- Akhini,
P.O.- Akhini, P.S.- Nuaon, District- Kaimur at Bhabua

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Dharmesh Kumar Shrivastava, Advocate
For the State	:	Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 11-09-2025 As per allegation, the Petitioner and the other co-accused have assaulted the police while arresting the accused and making seizure list of the seized items.

2. Learned counsel for the Petitioner submits that the police has applied various sections of B.N.S. But as per allegation, except Section 132 of B.N.S. no other Section will be applicable. He further submits that the maximum punishment prescribed under this Section is two years, though it is non-bailable. Hence, the Petitioner is entitled to get anticipatory bail.

3. However, learned APP for the state submits that this matter belongs to maintenance of law and order and authority of the police, and if the police is allowed to be disturbed by the public in this manner, the whole policing system will collapse.



Hence, this is not a case of anticipatory bail. The Petitioner may surrender before the Civil Court and seek regular bail.

4. At this stage, learned counsel for the Petitioner is seeking permission to withdraw the present petition with liberty to surrender before the court below and move regular bail application and learned Court below may be directed to hear his bail application on the same day of surrender.

5. Accordingly, the present petition is dismissed as withdrawn, with request to learned Court below to consider the regular bail application of the Petitioner on the same day of his surrender, if filed.

(Jitendra Kumar, J.)

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