

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44317 of 2025

Arising Out of PS. Case No.-372 Year-2024 Thana- GAYA KOTWALI District- Gaya

1. Md. Mansur @ Md. Manssor Alam S/o Late Gafar Miya Ali @ Gafur Miyan Resident of Mohalla- ward no 13, Panchayati Akahra, Gaya, PS- Kotwali, Distt.- Gaya
2. Md. Salim @ Chotu S/o Md. Mansur R/o Mohalla - ward no. 13, Panchayati Akahra, Gaya, P.S.- Kotwali, Distt.- Gaya
3. Md. Akram @ Sonu @ Bhindi S/o Md. Mansur R/o Mohalla - ward no. 13, Panchayati Akahra, Gaya, P.S.- Kotwali, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjana Kumar, Adv.

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-07-2025 Heard learned counsel for the petitioners and learned counsel for the State.

2. Petitioners have filed second anticipatory bail application in connection with Kotwali PS Case No. 372 of 2024 dated 13.07.2024 inasmuch as earlier anticipatory bail application of the petitioners was rejected by this Court *vide* Cr. Misc. no. 82171 of 2024 on 19.04.2025.

3. The prosecution case, as per the First Information Report, is that on 05.07.2024 in the midnight when the informant's son, namely, Md. Shahjad was going to his grandmother's home at Banke Gali No.7 and reached near his grandmother's home, the petitioners along with other accused



persons, after shouting '*chor-chor*' caught the informant's son, assaulted him and handed over to the police. It has further been alleged that informant strongly believe that due to assault by the petitioners and other accused persons, his son died on 07.07.2024 during course of treatment.

4. Learned counsel for the petitioners submits that after rejection of anticipatory bail application by this Court, both the parties have amicably settled and compromised their dispute and a joint compromise petition has been filed before the court of Chief Judicial Magistrate, Gaya. After filing the compromise petition, the petitioners moved anticipatory bail before the learned Sessions Judge, Gaya in ABP No. 1880/2025 on the ground that both the parties have compromised the case. However, the learned Sessions Judge, Gaya dismissed the anticipatory bail application without taking into consideration the subsequent event which took place after rejection of the anticipatory bail by this Court.

5. Learned counsel appearing for Opposite Party/Informant accepted the fact that a joint compromise petition has been filed between the parties.

6. I have heard the parties including the Opposite Party/informant and have gone through the materials on record,



it appears that the anticipatory bail application of the petitioners was rejected earlier on merit on 19.04.2025.

7. After taking into consideration the nature of allegation, cause of death, the gravity of offence and the offence as alleged against the petitioners is not compoundable, I find no merit in the second application for anticipatory bail. The same is hereby, rejected.

(Anil Kumar Sinha, J)

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