

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42220 of 2025

Arising Out of PS. Case No.-235 Year-2024 Thana- KATIHAR MUFFASIL District- Katihar

1. Md. Rizwan S/o Md. Jabbar @ Shekh Jahangir R/o Vill- Islampur, P.S.- Muffasil (Katihar), Distt- Katihar
2. Md. Raghieb @ Shekh Raghieb S/o SK Mumtaj R/o Vill- Islampur, P.S.- Muffasil (Katihar), Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-07-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109, 3(5), 303(2), 352 and 351(2) of the BNS, 2023.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that his son had gone to purchase a mobile carrying Rs. 22,000/- when he was intercepted by the named accused persons along with 5-7 unknown accused, informant on coming to know that his son has been intercepted, went to the place of occurrence when it is alleged that the accused persons assaulted



his son causing injury on head and Md. Masoom and Md. Ashique snatched Rs. 22,000/- along with silver chain.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that no doubt the injury suffered by the injured has been opined to be grievous, but then there is no specific allegation of assault against the petitioners rather the allegation of assault is general and omnibus in nature and only one injury has been found when it is alleged that all the accused persons assaulted. It is also submitted that petitioners will not abscond rather will co-operate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Muffasil



(Katihar) P.S. Case No. 235 of 2024 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioners despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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