

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43605 of 2025**

Arising Out of PS. Case No.-185 Year-2025 Thana- GOPALGANJ TOWN
District- Gopalganj

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1. ALI AHMAD @ ALI AHMAD HUSSAIN S/O AASH MAHMAD RESIDENT OF DARGAH SARIF, WARD NO. 25, MANIKPUR, P.S.- GOPALGANJ, DIST.- GOPALGANJ
 2. TALIB HUSSAIN S/O ALI AHMAD @ ALI AHMAD HUSSAIN RESIDENT OF DARGAH SARIF, WARD NO. 25, MANIKPUR, P.S.- GOPALGANJ, DIST.- GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anmol, Adv.

Mr. Nikhil Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 10-11-2025 Heard Mr. Anmol, learned Advocate for the

petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Gopalganj Thana P.S. Case No. 185 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 352, 3(5) of Bhartiya Nayay Sanhita, 2023.

3. Allegedly, on the fateful day, while the informant was going to purchase goods for his shop along with his driver in a four wheeler vehicle, in the meanwhile, all the F.I.R. named accused persons, including the petitioners



surrounded them. It is specifically alleged that co-accused, Gufran Ali gave repeated knife blow over the chest of the informant and further, petitioner No.2 along with two other accused persons snatched the golden chain and looted two lakh cash, which was carrying by the informant for purchasing goods for his shop. It is further alleged that besides the F.I.R. named accused persons, fifteen unknown persons also assaulted the informant and his driver.

4. Learned Advocate for the petitioners taking this Court through the F.I.R. contended that there is omnibus nature of allegation against the petitioners. So far the specific allegation of giving repeated knife blow is concerned, the same is attributed to co-accused, Gufran Ali, who is not before this Court. Moreover, the injuries which are, allegedly, sustained to the informant are concerned, all of them have been found to be simple in nature. To support the aforesaid contention, annexure-P/2 has been placed on record. The falsity of the case is also writ large that during the course of investigation, co-accused, Aaqib Hussain and Saqib Hussain were not sent up for trial. The petitioner No.1 has absolutely fair antecedent whereas, the petitioner No.2 is facing two criminal cases, however, in both the cases, he is



on bail.

5. On the other hand, learned Advocate for the State, vehemently, opposed the bail application and submits that the allegation of participation of the petitioners in crime and causing injury to the informant is manifest from the injury report.

6. Regard being had to the submissions set forth by the learned Advocate for the respective parties and taking note of the simple nature of injuries, coupled with role allegedly played by the petitioners, let the above named petitioner, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Town P.S. Case No. 185 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

(Harish Kumar, J)

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