

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44011 of 2025

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

Md. Masoom S/o Md. Sikandar Resident of Village- Islampur, PS- Katihar,
Muffasil, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Musowir, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-07-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 126(2), 115(2), 109, 3(5),
303(2), 352, 351(2) BNS.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant alleges
that seven named accused persons including the petitioner along with
5-6 unknown assaulted the informant causing injury on his head.

4. Learned counsel for the petitioner submits that from
perusal of the allegation as alleged in the FIR, it would manifest that
about 14 accused persons are alleged to have assaulted the injured
but then the injured suffered only one injury which is opined to be
grievous on the head, i.e., vital part of the body but then there is no
specific allegation against the petitioner of assaulting the injured. It is
further submitted that had so many accused assaulted the injured in



that event the injured would have suffered multiple injuries. It is next submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

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

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Katihar Mufassil P.S. Case No. 235 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. However, if the investigating officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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