

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47304 of 2025**

Arising Out of PS. Case No.-58 Year-2025 Thana- KATIHAR NAGAR District- Katihar

1. Md. Khursid Alam S/o- Md. Zuhur Resident of Rampara, Po and PS and Distt. - Katihar.
2. Murad S/o-Late Dhanni Resident of near Baigana Masjid, Rampara Po and PS and Distt.- Katihar.
3. Md. Kamrul Hasan S/o- Late Samsul Miyan Resident of Rampara Po and PS and Distt.- Katihar.
4. Sambhu Kumar Sah S/o- Ashok Sah R/o- Rampara, Po and PS and Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Yatindra Narayan, Advocate  
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      30-07-2025                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners are apprehending arrest in connection with Katihar Town P.S. Case No. 58 of 2025, dated 16.01.2025, lodged under Sections 319(2), 318(4), 308(2), 352, 351(2), 351(3) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”), pending before the Court of Chief Judicial Magistrate, Katihar.

3. As per the prosecution, FIR has been lodged against all the petitioners with the allegation that they obtained the



registry of the joint family property from the informant's brother and sister, who were 60% mentally ill, and upon opposition, they threatened him.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He further submits that the antecedents of the petitioners are clean. It is also submitted that the said property was sold by the person who is its rightful owner, therefore, no wrongdoing has been committed by the petitioners.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that the allegation against the petitioners is that they purchased the land from the mentally ill brother and sister of the informant by enticing them, despite the fact that no partition of the property had taken place.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners is hereby rejected.

7. It is directed to the petitioners to surrender before the Trial Court within a period of 6 weeks from today. In case, the petitioners surrender within six weeks, then the Trial Court is directed to pass order on their surrender-cum-bail applications on the same day without being prejudice that the anticipatory



bail of the petitioners has been rejected by this Court and the  
Trial Court shall pass order on the merit of this case.

**(Dr. Anshuman, J.)**

Aman Kumar/-

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