

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45027 of 2025

Arising Out of PS. Case No.-347 Year-2024 Thana- DHORAIYA District- Banka

Md. Imtiyaz, aged about 22 years, male, S/o- Md. Iliyas @ Md. Iliyas Mansoori
Village- Minnatnagar Millatnagar Milki Ps- Dhoraiya Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

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

2. The petitioner is apprehending his arrest in connection with Dhoraiya P.S. Case No.347 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 329(4), 76, 352, 351(2)/3(5) of the B.N.S.

3. As per the prosecution case, it is alleged that petitioner along with other co-accused persons were forcibly constructing the house on the land of the informant and when the informant protested to do so, then all the accused persons assaulted her by means of iron rod and have also tried to outrage the modesty of the informant, when the son of the informant came to rescue her, all the FIR named accused persons assaulted him also.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He further submits that both are parties are agnates as the informant is happens to be aunt (*chachi*) of the petitioner and there is a land dispute is also going on between the parties, due to



which, the present false case has been lodged against the petitioner. He further submits that all the alleged Sections are bailable against this petitioner except Section 329(4) and 76 of the B.N.S. and both the Sections are not applicable against this petitioner as stated in para-12 of the petition. He next submits that petitioner has got no criminal antecedent as stated in para 3 of the bail petition.

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

6. In the light of the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the Trial Court within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Dhuraiya P.S Case No. 347 of 2024 subject to the condition laid down under Section 482(2) of B.N.S.S with condition that the petitioner shall remain present on each and every date as fixed by the learned Trial Court.

(Ramesh Chand Malviya, J)

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