

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48048 of 2025

Arising Out of PS. Case No.-291 Year-2024 Thana- BENIPATTI District- Madhubani

1. Kammo Khatoon @ Kambu Khatoon, W/o Md. Alam, R/o Village- Barari, Ward No 8, P.S.- Benipatti, District- Madhubani
2. Madeena Khatoon, W/o Md. Nayeem @ Naim Rain, R/o Village- Barari, Ward No 8, PS- Benipatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 48420 of 2025

Arising Out of PS. Case No.-291 Year-2024 Thana- BENIPATTI District- Madhubani

1. Md. Arman, S/o Md. Alam, R/o Village- Barari, Ward No 8, P.S.- Banipatti, District- Madhubani
2. Md. Dildar @ Dildar, S/o Late Md. Abdul Rahman, R/o Village- Barari, Ward No 8, P.S.- Banipatti, District- Madhubani
3. Md. Nayeem @ Naim Rain, S/o Late Md. Suleman, R/o Village- Barari, Ward No 8, P.S.- Banipatti, District- Madhubani
4. Md. Alam @ Alam, S/o Late Md. Abdul Rahman, R/o Village- Barari, Ward No 8, P.S.- Banipatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 48048 of 2025)

For the Petitioner/s : Mr. Gagandeo Yadav, Advocate
Mr. Ravi Prakash, Advocate

For the State : Mr. Lalan Kumar, APP

For the Informant : Mr. Soban Asghar Ashad, Advocate

(In CRIMINAL MISCELLANEOUS No. 48420 of 2025)

For the Petitioner/s : Mr. Gagandeo Yadav, Advocate
Mr. Ravi Prakash, Advocate

For the State : Mr. Lalan Kumar, APP

For the Informant : Mr. Soban Asghar Ashad, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER



3 12-11-2025 Heard learned Advocate for the petitioners and the learned APP for the State. The informant is represented through Mr. Soban Asghar Ashad, learned Advocate

2. The petitioners are apprehending their arrest in connection with Benipatti P.S. Case No. 291 of 2024 registered for the offences punishable under Sections 126(2), 118(2), 109, 76, 303(2), 35(2), 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Allegedly on the fateful day, while a quarrel was going on amongst the children, in the meanwhile, the petitioners Md. Arman, Md. Dildar, Md. Nayeem, Md. Alam, along with other two women petitioners and some unknown persons, armed with deadly weapon entered into the house of the informant and brutally assaulted the informant by means of Iron rod and Bamboo sticks. It is specifically alleged that Md. Arman assaulted with the Bamboo stick, due to which injury has been caused on the right eye of the informant. It is further alleged that the petitioners Md. Alam and Md. Dildar also assaulted the other family members of the informant. Further, there is omnibus allegation against all the accused persons of causing assault, leading to the injuries.

4. Learned Advocate for the petitioners submitted that



so far as the petitioners of Cr. Misc. No. 48048 of 2025 are concerned, they are the women and only in order to put pressure, their names have been implicated in this case. The occurrence took place on 04.12.2024, but the Fardbeyan was recorded on 05.12.2024. The injuries, which have been said to be grievous in nature, caused to one Mehroon Khatton and one Nazrana Khatoon, not attributed against any person, except petitioner Md. Arman. The petitioners are the persons of fair antecedent and they undertake that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned APP for the State and the informant vehemently oppose the bail applications and submit that because of assault caused by the petitioners of Cr. Misc. No. 48420 of 2025, two of the persons sustained grievous injuries, besides the other injuries.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the specific accusation against petitioner nos.1, 2 and 4, namely, Md. Arman, Md. Dildar @ Dildar and Md. Alam @ Alam, of Cr. Misc. No. 48420 of 2025, the prayer for their anticipatory bail stands negated.

7. However, if the petitioner nos.1, 2 and 4, namely,



Md. Arman, Md. Dildar @ Dildar and Md. Alam @ Alam, of Cr. Misc. No. 48420 of 2025, surrender before the court below within a period of four weeks from today, the court below shall consider their prayer for grant of regular bail without being prejudiced by the order of this Court taking note of the materials available on record.

8. Further considering, no specific allegation against remaining petitioners, the prayer for anticipatory bail of petitioner no.3, namely, Md. Nayeem @ Naim Rain (Cr. Misc. No. 48420 of 2025) and petitioners of Cr. Misc. No. 48048 of 2025, stand allowed.

9. Let the petitioners of Cr. Misc. No. 48048 of 2025 and petitioner no.3, namely, Md. Nayeem @ Naim Rain, of Cr. Misc. No. 48420 of 2025, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Benipatti, Madhubani in connection with Benipatti P.S. Case No. 291 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita,



2023 with the further condition that one of the bailors shall be
the own/close relative of the petitioners.

(Harish Kumar, J)

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