

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49025 of 2025

Arising Out of PS. Case No.-84 Year-2025 Thana- MANIHARI District- Katihar

-
1. Md. Sunny S/o- Md. Jagir Village- Patni Manihari PS Po- Manihari. Dist- Katihar
 2. Md. Jabir S/o- Md. Jagir Village- Patni Manihari PS Po- Manihari. Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Chandan Kumar Singh, Advocate Mr. Abhishekh Kumar, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-07-2025 Heard learned counsel appearing on behalf of the petitioners and learned A.P.P. appearing on behalf of the State.

2. At the outset, learned counsel appearing on behalf of the petitioners seeks permission to withdraw this anticipatory bail application on behalf of Petitioner No. 2, namely Md. Jabir, as during pendency of this case, Petitioner No. 2 has already been arrested and the same has become infructuous.

3. Permission, as prayed for, is accorded.

4. Accordingly, this anticipatory bail application with respect to Petitioner No. 2 stands dismissed as withdrawn.

5. Petitioner No. 1 apprehends his arrest in a case registered for the offence punishable under Sections 115(2),



126(2), 109, 351(2), 352, 74, 303(2) and 3(5) of the B.N.S..

6. As per prosecution case, on 27.03.2025 at about 12:30 PM, all the F.I.R. named accused persons, including this petitioner, were forcibly constructing house on the land of informant and on protest, all of them assaulted informant and her family members.

7. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that specific accusation of assault is against co-accused Md. Jagir. No specific accusation of overt act has been alleged against this petitioner. Doctor has found the injuries sustained by the injured to be simple in nature. Petitioner claims clean antecedents.

8. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

9. Considering the general and omnibus nature of accusation, nature of injuries sustained by the injured and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to Petitioner No. 1 is allowed.

10. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named



Petitioner No. 1 be enlarged on bail 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, Katihar in connection with Manihari P.S. Case No. 84 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

11. With the aforesaid directions, this application stands disposed of.

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

