

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56737 of 2025

Arising Out of PS. Case No.-238 Year-2025 Thana- ALOULI District- Khagaria

1. Md. Gufran @ Md. Abu Gufran S/O Late Mahfooz Alam R/O Village-Jogiya, P.S- Alauli, Distt.- Khagaria.
2. Md. Abu Fazal @ Md. Abu Faizal @ Abul Fazal S/O Late Mahfooz Alam R/O Village- Jogiya, P.S- Alauli, Distt.- Khagaria.
3. Md. Dahiyan @ Abu Saban @ Md. Abu Sahban S/O Late Mahfooz Alam R/O Village- Jogiya, P.S- Alauli, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai, Advocate
For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 191(2), 191(3), 190, 194(2), 195(2) & 109 of the BNS-2023.

3. The Informant of this case is Sub Inspector of Police, who was informed by the local Chowkidar that on account of the act of eve-teasing, a fight between two parties/communities has taken place and the present petitioners are part of the second party and there is specific allegation upon one Md. Imdad, who was local Mukhiya of inciting the people against the police and creating a situation of chaos.



4. Learned counsel for the petitioners submits that it would be evident from the FIR that a dispute took place between the two parties and beside the present FIR lodged by the police, an FIR was also lodged by the brother of the petitioners while another FIR had been lodged by the first party to the dispute for the same incident. It is further submitted that as a matter of fact, a girl from the family of the petitioners was teased by the members of the first party and hence, the dispute had taken place. However, there is no allegation of any assault or injuries having been caused to any person except for one Sonu Kumar who also sustained superficial injury. The allegation against all the petitioners, who are brothers, are general and omnibus in nature.

5. Learned APP, however, opposes the grant of anticipatory bail.

6. Considering the facts and circumstances of the case and also considering the fact that there is a case and counter case and the allegations are general and omnibus in nature, let the petitioners, above named, who have no criminal antecedent, but for one Alauli P.S. Case No. 240 of 2025 as indicated in the supplementary affidavit arising out of the same incident in which they have already been granted bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with **Alauli P.S. Case**



No. 238 of 2025 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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