

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61189 of 2025

Arising Out of PS. Case No.-111 Year-2015 Thana- KISHANPUR District- Supaul

1. Moharam Safi, son of Kafayat Safi @ Kifayat Safi, Resident of- Sripur, Ward No. 15, P.S.- Kishanpur, District- Supaul
2. Md. Tayab @ Tayab Safi, son of Dilmohamad Safi @ Dil Mohamad, Resident of- Sripur, Ward No. 15, P.S.- Kishanpur, District- Supaul
3. Suleman Safi, son of Late Juwala Safi @ Juwalal Safi, Resident of- Sripur, Ward No. 15, P.S.- Kishanpur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Patla Kumari, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 12-11-2025 Heard learned Advocate appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Kishanpur P.S. Case No. 111 of 2015, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 427 and 504 of the Indian Penal Code.

3. Allegedly on the fateful day, a quarrel took place between the wives of Md. Usman and the informant, due to which a Panchayati was organized; however, the petitioner and others did not obey the direction of the Panchayat and soon



thereafter, encircled the house of the informant and destroyed the household articles. It is specifically alleged that the petitioners and others have assaulted the informant and his family members and snatched the valuables.

4. Learned Advocate appearing on behalf of the petitioners submitted that in fact, no such occurrence has taken place and the petitioners were not even present in the village, as on the alleged date of occurrence, they were residing at different places for earning money. There is a counter version of the present case being Kishanpur P.S. Case No. 110 of 2015, which is on earlier point of time. The allegation even if taken to be true for sake of argument, the same are omnibus in nature. All the more, the injury sustained to all the four persons have been found to be simple in nature.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submits that the alleged offence took place in the year 2015, resulting into institution of the FIR and the petitioners were evading their arrest for over a decade and they have now approached this Court and, as such, in no circumstances they deserve the extraordinary relief of anticipatory bail.

6. Having considered the submissions advanced by



learned Advocate for the respective parties and taking note of the fact that the petitioners are named accused and they were evading their arrest for the last ten years, this Court is not acceded to accept the prayer for anticipatory bail of the petitioners, however, if the petitioners surrender before the jurisdictional Court, preferably within a period of four weeks from today, the learned Court shall consider the prayer for bail of the petitioners without being prejudice by the order of this Court.

(Harish Kumar, J)

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