

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68728 of 2025

Arising Out of PS. Case No.-102 Year-2025 Thana- BAHADURGANJ District- Kishanganj

1. Sohail @ Sohil Alam S/O Alimuddin R/O Village- Khari Basti, Bangama, Ward No.- 10, P.S.- Bahadurganj, Distt.- Kishanganj
2. Alimuddin S/O Late Farhat Ali R/O Village- Khari Basti, Bangama, Ward No.- 10, P.S.- Bahadurganj, Distt.- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Adv

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 26-09-2025 1. Heard learned counsel for the petitioners as well as learned APP for the State.

2. After some arguments, learned counsel for the petitioners prays for withdrawal of the present anticipatory bail application on behalf of the petitioner no. 1 namely, (Sohail).

3. Permission is granted.

4. This application is dismissed as withdrawn with liberty that if the petitioner no. 1 surrenders and seeks regular bail, the same shall be considered on its own merits without being prejudiced by the present withdrawal and the same may be considered preferably on the same day.

5. The application thus, survives against petitioner



no.2.

6. The petitioner apprehends his arrest in connection with Bahadurganj P.S. Case no. 102/2025 registered under Sections 191(3), 109, 115(2), 117(2), 118(1), 118(2), 352, 74, 303(2), 76 of B.N.S.

7. The allegation in the first information is that as many as 29 persons came variously armed and had indulged in abuses and assaulted the informant and his family members.

8. Learned counsel for the petitioner submits that the first information report itself discloses that 29 persons have been named as accused persons, and petitioner no. 2, who is an old-aged man of about 72 years, has been named as one of the members of the mob. It has further been submitted that even as per the first information report, the allegation of assault is confined to other co-accused persons, and there is no specific overt act alleged against the present petitioner. It has further been submitted that there is a case and counter-case, and the case on the petitioner's side is earlier in point of time. The petitioner undertakes to cooperate in the case/trial.

9. The application for anticipatory bail is opposed by learned A.P.P. for the State and learned counsel appearing on behalf of the informant on the ground that there are grievous



injuries suffered by the informant's father however, it has been submitted on behalf of the petitioner that same are not attributable to the present petitioner no.2.

10. Taking into consideration the aforesaid facts and circumstances of the case and also considering that the allegations against the petitioners are general and omnibus with no specific overt act alleged and also taking into consideration the factum of the case and counter and also the age, let the above named petitioner no.2 (Alimuddin) who has no criminal antecedent, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bahadurganj P.S. Case no. 102/2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st I/C, Kishanganj, 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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