

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59396 of 2025

Arising Out of PS. Case No.-89 Year-2025 Thana- BARARI District- Katihar

1. Md. Enamul Haque @ Enamul Son of Haji Usman Ali @ Md. Usman R/O- Mohna Chandpur, P.S.- Barari (Semapur), Distt.- Katihar
2. Imautulla @ Inayatullah Son of Md. Enamul Haque @ Enamul R/O- Mohna Chandpur, P.S.- Barari (Semapur), Distt.- Katihar
3. Hedaytullah @ Hiyanat Tull Son of Md. Enamul Haque @ Enamul R/O- Mohna Chandpur, P.S.- Barari (Semapur), Distt.- Katihar
4. Md. Abdul Hussain @ Afjal Hussain @ Md. Akmal Hussain Son of Md. Sanaullah @ Molvi Sanaullah R/O- Mohna Chandpur, P.S.- Barari (Semapur), Distt.- Katihar
5. Md. Alaur Rahman @ Ataur Rahman Son of Late Samsul Haque R/O- Mohna Chandpur, P.S.- Barari (Semapur), Distt.- Katihar
6. Saidur Rahman @ Saidur Alam Son of Late Samsul Haque R/O- Mohna Chandpur, P.S.- Barari (Semapur), Distt.- Katihar
7. Rezaul Haque Son of Late Samsul Haque R/O- Mohna Chandpur, P.S.- Barari (Semapur), Distt.- Katihar
8. Md. Arif Son of Habibur Rahman R/O- Mohna Chandpur, P.S.- Barari (Semapur), Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Sanjeev Kumar Singh, Advocate
For the State	:	Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-09-2025 Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 191(2), 191(3), 126(2), 115(2), 109, 74, 303(2), 352 and 351(2) of the B.N.S..



3. As per prosecution case, it is alleged that on 01.04.2025 at about 7 M, when informant was irrigating his field, in the meantime, all the F.I.R. named accused persons, including these petitioners along with some unknown persons, armed with deadly weapon, assaulted informant and others as a result of which eight persons sustained injuries.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. Allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against these petitioners. There is case and counter-case between the parties. Doctor has found the injuries sustained by the injured to be simple in nature. Petitioners claim clean antecedents.

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

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, nature of injuries sustained by the injured, case and counter-case between the parties and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.



7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar in connection with Barari (Semapur) P.S. Case No. 89 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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