

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63050 of 2025

Arising Out of PS. Case No.-169 Year-2017 Thana- KUNDWACHAINPUR District- East
Champaran

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1. Md. Faizul Hassan @ Guddu @ Faizul Haque S/O Rahimullah R/O Village-
Guabari, P.S.- Kundwa Chainpur, District- East Champaran
 2. Rahimullah S/O Late Mohamdin R/O Village- Guabari, P.S.- Kundwa
Chainpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Asif Kalim, Adv.

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-09-2025 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 341, 323,
307, 354, 504 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that
petitioner no. 1 has antecedent of two cases and petitioner no. 2
is a person with clean antecedent and the informant alleges that
she had gone to attend nature's call when petitioners along with
Majibur came and acted inappropriately, but fled when she
raised an alarm, thereafter, the informant went to the house of
the accused to enquire as to why they committed such an



occurrence, when she was abused, hence came back home, thereafter the accused persons came to her house and Saidul dashed her on the ground while Faizul torn her cloths and Majibur assaulted her by *dabila* causing injury on head and leg.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant alleges that after the accused persons acted inappropriately with her, she went to their house, it is submitted that it does not appear probable that informant would have gone to the house of the accused to enquire about the occurrence. It is next submitted that police after investigation submitted charge sheet under bailable sections, but the learned Trial Court differing with the police report took cognizance of the offences involving non-bailable sections also, as such, petitioners apprehend their arrest. It is further submitted that though the order impugned records that summons and bailable warrants have been issued against the petitioners, but then the petitioners never received any summons and bailable warrants. It is also submitted that Majibur Rahman is not a petitioner in the instant anticipatory bail application.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail 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 trial court where the case is pending/successor court in connection with Kundwa Chainpur P.S. Case No. 169 of 2017 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly, the instant anticipatory bail application is allowed.

(Satyavrat Verma, J)

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