

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64038 of 2025

Arising Out of PS. Case No.-73 Year-2025 Thana- Gadhiya Bazar District- East Champaran

1. Md. Israil Mian @ Md. Israil S/o Md. Rahman @ Rahman Miyan Resident of village - Garahiya, ward no. 10, P.s.- Garahiya Bazar, Distt.- East Champaran
2. Rehana Khatoon @ Rehana @ Rehana Khatoon W/o Md. Israil Mian @ Md. Israil Resident of village - Garahiya, ward no. 10, P.s.- Garahiya Bazar, Distt.- East Champaran
3. Md. Tabrej Alam @ Md. Tabrej @ Tabrej Mian S/o Md. Israil Mian @ Md. Israil Resident of village - Garahiya, ward no. 10, P.s.- Garahiya Bazar, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-11-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 76, 303(2), 352, 3(5) of the Bharatiya Nyaya Sanhita.

3. As per prosecution case, on 23.04.2025 at 4 PM, when informant was at her house, all the F.I.R. named accused persons, including these petitioners killed the lamb of informant and when she raised objection, all the accused persons assaulted her with *lathi*, *fatta*, sword as a result of which she sustained



injuries. It is further alleged that the accused persons also snatched gold chain worth Rs. 50,000/- from the informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. Both parties are close-door neighbours and due to petty dispute, altercation took place between them in which both sides sustained injuries. Case and counter case. Allegation of assault is general and omnibus and there is no specific allegation of overt act against these petitioners. Injuries sustained by the injured are simple in nature. Rest of the allegations are ornamental only to make the case grave.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering backdrop of the case, nature of accusation and injuries, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, 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 Judicial Magistrate, 1st Class, East Champaran, Motihari in connection with Garahiya Bazar P. S. Case No. 73 of 2025, subject to condition as laid down under



Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita,
2023.

(Prabhat Kumar Singh, J)

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