

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66120 of 2025**

Arising Out of PS. Case No.-839 Year-2023 Thana- DARBHANGA SADAR District-  
Darbhanga

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Md. Sakil @ Md. Shakil @ Md. Quadir @ Md. Qadir Son of Late Hafiz  
Makki @ Late Md. Makki, Resident of Tarsarai, P.S. - Sadar (Bhalpatti O.P.),  
Distt. - Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Saurav Anand, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

2      19-09-2025                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

2. The petitioner apprehends his arrest in  
connection with Sadar (Bhalpatti O.P.) P.S. Case No. 839 of  
2023, dated 09.12.2023, registered for the offences punishable  
under Sections 341, 323, 379, 354B, 504 and 506 read with  
Section 34 of the Indian Penal Code.

3. As per the prosecution case, the allegation in the  
FIR is that the accused persons being 8 in number, on account  
an earlier dispute, abused and assaulted the informant and also  
outraged her modesty.

4. Learned counsel for the petitioner submits that it  
would be apparent from the FIR itself that there was a dispute



between the accused persons and the informant, who were next door neighbours and a general and omnibus allegation of assault was lodged against all the accused persons including the petitioner. However, a further allegation has been made against the petitioner that he along with two other accused persons pushed the informant by holding her hair and even tried to strangle her with some further ornamental allegations of taking away cash. It is further submitted that the allegations have been falsely imputed against the petitioner and others on account of some dispute between the neighbours and Section 323 of the IPC has been levelled indicating thereby that no serious injury has been caused to the informant. The offence under Section 379 of the IPC is merely ornamental in nature and offences under Section 354B of the IPC is not made out in the fact of the case.

5. Learned Additional Public Prosecutor for the State on the other hand vehemently opposes the prayer for grant of anticipatory bail to the petitioner.

6. Taking into consideration the facts and circumstances of the case and further considering the fact that a dispute between the neighbours has led to the institution of the present FIR with no serious injury caused to the informant and



also considering the clean antecedent of the petitioner, let the petitioner, above-named, in the event of his arrest or surrender before the Court concerned within a period of four weeks, be released on anticipatory bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga, in connection with **Sadar (Bhalpatti O.P.) P.S. Case No. 839 of 2023**, subject to the conditions laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the BNSS.

**(Soni Shrivastava, J)**

Shahnawaz/-

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