

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69410 of 2025

Arising Out of PS. Case No.-117 Year-2025 Thana- BARSOI District- Katihar

Mustkim @ Md. Mustkim Ansari S/o Mahiuddin R/o Village- Lahgariya,
P.S.- Barsoi, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 69427 of 2025

Arising Out of PS. Case No.-117 Year-2025 Thana- BARSOI District- Katihar

- 1. Sharif @ Md. Sharif Ansari S/o- Md. Manovar Village- Lahgariya, P.S.-
Barsoi, District- Katihar
- 2. Abu Talib @ Md. Talib Ansari S/o- Md. Manovar Village- Lahgariya, P.S.-
Barsoi, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 69410 of 2025)
For the Petitioner/s : Mr. Virendra Kuar, Advocate
For the Informant : Mr. Harish Chandra Patel, Advocate
Mr. Dhananjay Kumar Gupta, Advocate
Mr. Sumit Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 69427 of 2025)
For the Petitioner/s : Mr. Virendra Kuar, Advocate
For the Informant : Mr. Harish Chandra Patel, Advocate
Mr. Dhananjay Kumar Gupta, Advocate
Mr. Sumit Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-10-2025 Since both these applications arise out of Barsoi

Police Station Case No. 117 of 2025, with the consent of the



parties, both these applications are heard together.

2. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. This application, for grant of anticipatory bail, arises out of Barsoi Police Station Case No. 117 of 2025, disclosing offences under Sections 191(2), 190, 126(2), 115(2), 118, 125, 109 and 352 of B.N.S.

4. The prosecution case, as per the First Information Report is that, on 14.06.2025, in the morning, petitioners came and try to forcibly encroach upon the public land situated near the house of the informant. When the informant protested, the petitioner of Cr. Misc. No. 69410 of 2025, assaulted the informant's son, namely, Md. Intekhab by sharp cutting knife on the head and co-accused Md. Salim assaulted informant's son with iron rod on the back side of his head due to which the informant's son sustained injury. It has further been alleged that all the accused persons started pelting stone upon the informant and other family members.

5. Learned Counsel for the petitioners submits that both the parties are co-villagers and there appears to be land dispute between them. Counter case has also been lodged by the side of the petitioners. The injury caused to the informant's son



namely Md. Intekhab Alam is not attributable to the petitioner of Cr. Misc. No. 69410 of 2025. Inasmuch as the allegation against the petitioners that he assaulted with sharp cutting knife, but, in the injury report, the doctor has found blunt trauma over right temporo-parietal region of the skull with swelling which has subsequently been opined as grievous. The allegation against the co-accused Salim that he assaulted the informant's son Md. Intekhab by means of iron rod which is hard and blunt substance. The allegation against the other petitioners of Cr. Misc. No. 69427 of 2025 are general and omnibus in nature of pelting stones, no apparent injury has been caused to the informant.

6. On the other hand learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submits that there is specific allegation of assault by means of knife, upon petitioner of Cr. Misc. No. 69410 of 2025 due to which the victim i.e., informant's son has sustained injury on his head.

7. Considering the rival submission of the parties and the fact that both the parties are co-villagers, there is case and counter case and the injury caused to the victim i.e., informant's son is blunt trauma and the allegation against other petitioners of pelting stone, is general and omnibus in nature, I am inclined



to grant the petitioners privilege of anticipatory bail.

8. This application is, accordingly, allowed.

9. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released 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 A.C.J.M.-I, Civil Court, Katihar in connection with Barsoi Police Station Case No. 117 of 2025, subject to the condition laid down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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