

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72308 of 2024

Arising Out of PS. Case No.-238 Year-2023 Thana- TEGHRHA District- Begusarai

1. Md. Jasim @ Sonu Son of Md. Mumtaj @ Natho @ Mumtaj Miyan @ Mamataj Mohalla -ward no 12 Barauni PS -Teghra District -Begusarai
2. Md. Nasim @ Nasim @ Md. Nadim @ Nadim son of Md. Mumtaj @ Natho @ Mumtaj Miyan @ Mamataj Mohalla -ward no 12 Barauni PS -Teghra District -Begusarai
3. Jubaida Khatoon @ Sahin Khatoon Daughter of Md. Mumtaj @ Natho @ Mumtaj Miyan @ Mamataj Mohalla -ward no 12 Barauni PS -Teghra District -Begusarai
4. Meharun Khatoon @ Moharun @ Gutiree @ Gutari Khatoon Wife of Md. Mumtaj @ Natho @ Mumtaj Miyan @ Mamataj Mohalla -ward no 12 Barauni PS -Teghra District -Begusarai
5. Nasreen Khatoon Daughter of Md. Mumtaj @ Natho @ Mumtaj Miyan @ Mamataj Mohalla -ward no 12 Barauni PS -Teghra District -Begusarai
6. Md. Raju @ Md. Samim Son of Md. Mumtaj @ Natho @ Mumtaj Miyan @ Mamataj Mohalla -ward no 12 Barauni PS -Teghra District -Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yugal Kishore, Adv.
For the State	:	Mr. Ganesh Prasad Singh, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 16-06-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. Learned counsel for the petitioners, at the outset,
withdraws the anticipatory bail application on behalf of
petitioner no.6, namely, Md. Raju @ Md. Samim.

3. Now, this application survives for petitioner nos. 1 to



5 only.

4. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 379, 325, 308/34 of the Indian Penal Code.

5. The allegation in the FIR is that all the accused persons assaulted the informant and her daughter Rehana Khatoon and on account of assault by Md. Raju and Md. Rahul, the informant's hand was broken. Further, there is an allegation on co-accused Md. Rahul giving a *lathi* blow on the head of the daughter of the informant due to which she sustained head injury and Md. Samsher, son of the informant, was also assaulted by all the accused persons.

6. Learned counsel for the petitioners submits that the incident has taken place during watching a Muharram procession in which stone pelting started taking place from two sides. It is further submitted that petitioner nos. 3, 4 & 5 are females who have falsely been made accused in the present case. Petitioner nos. 1 & 2 are young boys of 18-19 years of age who have also been implicated as accused in the present case. It is next submitted on behalf of the petitioners that no fight occurred between the parties, but only on account of an earlier dispute, which is admitted in the FIR itself, the entire



family of the petitioners has been made accused in the present case. It is also submitted that the allegations are somewhat specific with regard to co-accused Md. Rahul and petitioner no.6, namely, Md. Raju. So far as other petitioners are concerned, there is no specific allegation of assault and the injury suffered by one of the injured was found simple in nature. The injury sustained by the informant is grievous in nature, however, it is on a non vital part of the body and so far as the injury of Md. Shamser is concerned, he has also suffered grievous injury, but the allegation regarding the same is general and omnibus in nature.

7. Learned APP for the State opposes the prayer for bail.

8. Considering the fact that there is general and omnibus allegation against the petitioners, I am inclined to grant the privilege of anticipatory bail to the petitioner nos. 1 to 5, who have no criminal antecedent. Let the petitioner nos. 1 to 5, 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 the learned lower Court where the case is pending/successor Court in connection with Teghra P.S. Case No. 238 of 2023, subject to



the condition as laid down under Section 438 (2) of the Cr.P.C/
482 (2) of the BNSS, 2023.

9. Accordingly, the application stands partly allowed.

(Soni Shrivastava, J)

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