

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70470 of 2025

Arising Out of PS. Case No.-108 Year-2025 Thana- HALAI District- Samastipur

1. Md. Abid S/o Md. Rafik Resident of village - Maricha, P.S - Halai, District - Samastipur
2. Md. Jubed @ Md. Juvaaid @ Chhotu S/o Md. Rafik Resident of village - Maricha, P.S - Halai, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Kanhiya Kishor, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-10-2025 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), 117(2), 109(1), 74, 303(2), 352, 351(2)(3), 3(5) of the Bharatiya Nyaya Sanhita.

3. As per prosecution case, on 14.06.2025 at 7 AM, when daughter of the informant had gone to attend nature's call, these petitioners caught hold of her, molested and attempted to commit rape with her. When informant and others went to save her, all the F.I.R. named accused persons abused and assaulted them. Petitioner no. 1 assaulted Kajal Khatoon by



means of sword and petitioner no. 2 assaulted Shabnam Khatoon with *Mungri*.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. Informant is own uncle of these petitioners and due to admitted land dispute between the parties, altercation took place between them. Rest of the allegations are ornamental only to make the case grave. Injuries, allegedly, caused by these petitioners are simple in nature. Petitioners claim clean antecedent.

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

6. Considering the nature of accusation, injuries and clean antecedent, 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 learned Judicial Magistrate, 1st Class, Samastipur in connection with Halai P. S. Case No. 108 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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