

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.70790 of 2025

Arising Out of PS. Case No.-291 Year-2024 Thana- THAWE District- Gopalganj

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1. Chand Ali @ Chand Babu S/o Kazim Miya @ Kajit Miya R/o Village - Hardiya, P.S - Thawe, District - Gopalganj
 2. Mantu Miyan @ Mantu Miya @ Shahbudin Miya @ Shahabuddin Miyan S/o Kazim Miya @ Kajit Miya R/o Village - Hardiya, P.S - Thawe, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

3 17-11-2025 1. Heard learned counsel for the petitioners and learned APP for the State.

2. A prayer for bail has been made on behalf of the petitioners in connection with Thawe P.S. Case no.291 of 2024 registered under sections 115(2), 126(2), 117, 109, 352, 351 and 190 and 3(5) of B.N.S, 2023.

3. Allegation in the F.I.R is that informant's son was assaulted by the accused persons named in the F.I.R by means of sword causing injuries to him.

4. Learned counsel for the petitioners submits that F.I.R has been lodged after five days of the occurrence, for which no explanation has been tendered. There are general and omnibus allegation levelled against petitioner no.2 of assault upon the informant's son. The specific allegation of assault is upon petitioner no.1 who is said to have assaulted the son of the informant by means of sword. Injury report of the injured,



which is at Annexure P/2 to the petition, would go to show that the injuries are simple in nature caused by hard and blunt object. The petitioner no.1 and petitioner no.2 are in custody since 28.05.2025 and 19.05.2025 respectively. They undertake to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the above mentioned facts of the case and also considering the general and omnibus nature of allegation against petitioner no.2 and simple nature of injuries caused by hard and blunt object, coupled with the fact that there is inordinate delay in lodging of F.I.R, the petitioners are directed to be enlarged on bail in connection with Thawe P.S. Case no.291 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned where the case is pending/Successor Court.

(Soni Shrivastava, J)

Harsh/-

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