

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 74338 of 2025

Arising Out of PS. Case No.-468 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

1. RAMJAN ALI @ SHIBBU S/o Aflatun Ali Resident of Village- Mahuawa, Police Station- Kuchaykote, District- Gopalganj, Bihar
2. Sharfaraj Khan @ Sarfaraj Alam Mansoori @ Sarfaraj Kha S/o Manjoor Ali Resident of Village- Mahuawa, Police Station- Kuchaykote, District- Gopalganj, Bihar
3. Javed Ali @ Javed Mansoori S/o Aflatun Ali Resident of Village- Mahuawa, Police Station- Kuchaykote, District- Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Ranjan Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR JUSTICE HARISH KUMAR

ORAL ORDER

2 24-11-2025 Heard Mr Shashi Ranjan Kumar, learned Advocate for the petitioners and Mr Surendra Prasad Singh, learned Advocate for the State.

2 The petitioners are apprehending their arrest in connection with Kuchaykote PS Case No 468 of 2024 registered for the offence punishable under Sections 126 (2), 115 (2), 118 (1), 109 (1), 74, 303 (2), 352, 351 (2) and 3 (5) of the Bharatiya Nyaya Sanhita, 2023.

3 Allegedly, on the fateful day, while the informant was engaged in cleaning in front of her main gate, in the meanwhile, the petitioners along with others came, variously



armed, at the door and started abusing. It is specifically alleged that petitioner No 1 tried to strangle the informant with the help of a rope along with others and when the informant tried to save herself, in the meanwhile, petitioner No 2 assaulted her by means of sword over her head. So far as petitioner No 3 is concerned, it is also alleged that he also strangled the informant by means of rope. There is further allegation against other accused persons of causing assault to the informant and others.

4 Learned Advocate for the petitioners submits that the narrations made in the FIR clearly suggest that there was previous enmity between the parties. In fact, on the alleged date of occurrence on account of some trifle, the parties entered into the scuffle resulting into unfortunate injuries and taking shelter of such scuffle, the present FIR has been instituted with a view to put pressure and wreck vengeance. The nature of injury, which is discussed in the impugned order, is simple in nature. Petitioners No 1 and 2 have one criminal antecedent whereas petitioner No 3 has two criminal antecedents but all the criminal cases are the offshoot of dispute between the parties. The alleged occurrence took place on 02.11.2024 at about 4.30 pm. However, the present FIR came to be instituted on 04.11.2024



without there being any explanation for the delay.

5 On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that besides the criminal antecedent, the petitioners have brutally assaulted the informant and others leading to serious injuries.

6 Regard being had to the submission advanced on behalf of the respective parties and considering the genesis of the occurrence besides the delay in lodging the FIR coupled with the nature of the injuries, let the petitioners, in the event of their arrest/surrender before the Court below within a period of four weeks from today, subject to verification of their criminal antecedent, be released on anticipatory bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gopalganj in Kuchaykote PS Case No 468 of 2024 subject to all conditions as laid down in Section 482 of the BNSS 2023.

(Harish Kumar, J)

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