

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73034 of 2025

Arising Out of PS. Case No.-180 Year-2025 Thana- MANIHARI District- Katihar

Shekh Mubarak S/O Shekh Aslam R/O Vill.- Boliya, ward no.- 1,P.S-
Manihari, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar Yadav, Advocate
For the Opposite Party/s	:	Mrs. Rina Sinha, A.P.P.
For the Informant	:	Mr. Harish Chandra Patel, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-11-2025 Heard learned counsel for the petitioner, informant
and the State.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 115(2), 126(2), 189(2),
191(2), 109, 303(2) of the Bharatiya Nyaya Sanhita.

3. Prosecution case, in brief, is that this petitioner
assaulted on the head of father of the informant with iron rod
and when family members of the informant tried to save him,
they were also assaulted by the F.I.R. named accused persons. It
is further alleged that co-accused persons also snatched gold
necklace from the neck of mother of the informant worth Rs.
65,000/-.

4. Learned counsel for the petitioner contends that



assertion of right, title and possession over piece of land led to an altercation between the parties in which both sides sustained injuries. Case and counter case. Allegation of assault is general and omnibus and there is no specific allegation of overt act against petitioner. Rest of the allegation is ornamental only to make the case grave. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the bail application.

6. Considering the backdrop of the case, nature of accusation and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his 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) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II, Kaithar in connection with Manihari P. S. Case No. 180 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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