

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77004 of 2025

Arising Out of PS. Case No.-174 Year-2025 Thana- SHAMBHUGANJ District- Banka

1. Mohammad Nayab @ Md Nayab Son of Taki Imam @ Md. Taqui Imam R/o Village - Shyampur, Daka, P.S. Shambhuganj, Dist. - Banka (Bihar).
2. Biti Khatoon @ Farkhunda Shahin D/o Taki Imam @ Md. Taqui Imam R/o Village - Shyampur, Daka, P.S. Shambhuganj, Dist. - Banka (Bihar).
3. Mohmmad Roz @ Md. Shafie Imam Son of Taki Imam @ Taqui Imam R/o Village - Shyampur, Daka, P.S. Shambhuganj, Dist. - Banka (Bihar).
4. Naaj Khatoon @ Maherukh Naaz D/o Taki Imam @ Taqui Imam R/o Village - Shyampur, Daka, P.S. Shambhuganj, Dist. - Banka (Bihar).
5. Taki Imam @ Taki Imam @ Md. Taqui Imam Son of Late Ali Imam R/o Village - Shyampur, Daka, P.S. Shambhuganj, Dist. - Banka (Bihar).
6. Mohammad Ayaz @ Md. Ayaz Hashmi Son of Abdul Shakoore Alam R/o Village - Shyampur, Daka, P.S. Shambhuganj, Dist. - Banka (Bihar).
7. Mohammad Daymond @ Mohammad Diamond @ Anas Hashmi Son of Mohammad Ayaz R/o Village - Shyampur, Daka, P.S. Shambhuganj, Dist. - Banka (Bihar).
8. Tarana Khatoon @ Arajmond Shahina Wife of Md. Ayaz, D/o Md. Taquee Imam @ Taki Imam R/o Village - Shyampur, Daka, P.S. Shambhuganj, Dist. - Banka (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Keshab Raj
For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 13-11-2025 1. Heard learned counsel for the petitioners and learned APP for the State.
2. Learned counsel for the petitioner, after arguing vehemently for some time realising his difficulty, seeks permission to withdraw the anticipatory bail application with respect to petitioner No. 5, Taki Imam @ Taki Imam @ Md. Taqui Imam.



3. Permission is accorded.

4. Accordingly, the anticipatory bail application is dismissed as withdrawn with respect to petitioner No. 5, Taki Imam @ Taki Imam @ Md. Taqui Imam.

5. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 223, 109 , 132, 121(1), 121(2) and 74 of the Bharatiya Nyaya Sanhita.

6. Learned counsel for the petitioners submits that the petitioner nos. 1, 2, 4, 6, 7, 8 are persons with clean antecedent and petitioner No. 3 has antecedent of one case and the informant alleges that on 16-7-2025, he along with police force went to serve bailable warrants on Taki Imam, when Md. Sadav started abusing and refused to receive the warrant and assaulted the informant with lathi causing injury on his right thumb and hand, the occurrence was videographed and the accused including the petitioners were identified, who were involved in the occurrence.

7. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case, being family members of Taki Imam. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that specific allegation of assaulting the informant and causing injury is against Md. Sadav. It is further submitted that Md. Sadav is not a petitioner in the instant anticipatory bail application. It is also submitted that



since petitioners are family members of Taki Imam, as such they were also present at the place of occurrence, but then there is no specific allegation against any of the petitioners of assaulting the informant.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

9. Considering the submissions made by the learned counsel for the petitioners, the petitioner nos. 1, 2, 3, 4, 6, 7, 8 above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Shambhuganj P.S. Case No. 174 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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