

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84112 of 2024

Arising Out of PS. Case No.-52 Year-2024 Thana- MAHILA P.S. District- Araria

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1. Dr. Mohammad Yassar @ Mohammad Yassar Son of Abdul Mohit R/O-Flat 5B, K.T. Apartment 232/1, Tiljala Road, PS- Karaya District -Kolkata, West Bengal
 2. Mofida Khatun Wife of Abdul Mohit R/O-Flat 5B K.T. Apartment 232/1, Tiljala Road, PS- Karaya District -Kolkata, West Bengal
 3. Abdul Mohit Son of Late Hamid Ali Mondal R/O-Flat 5B K.T. Apartment 232/1, Tiljala Road, PS- Karaya District -Kolkata, West Bengal

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dr. Rizwana Tabassum Wife of Dr. Mohammad Yassar, D/O- Abdul Rahman Resident of Sakin Navratna Chowk, P.S.- Araria,Distt.- Araria, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Neerad Parashar
For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 24-07-2025 Heard learned counsel for the petitioners, learned Additional Public Prosecutor for the State and learned counsel for the informant.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 85, 352, 3(5) of the B.N.S. and Section 4 of the D.P. Act.

3. Learned counsel for the informant submits that the petitioners have directly approached before this Court without exhausting remedy of anticipatory bail to the Sessions Court first.



4. In response, learned counsel for the petitioners submits that the Sessions Court and the High Court have concurrent jurisdiction over the matter of anticipatory bail and thus, the petitioners approached before this Court directly. However, on query of this Court, the petitioners have not been able to demonstrate any special or extraordinary reasons or circumstances for approaching the High Court directly for grant of anticipatory bail.

5. Taking into consideration the facts and circumstances and also in the light of the view taken by this Court vide order dated 18.07.2025 passed in Cr. Misc. No. 14855 of 2025 (Nirmala Devi @ Nimala Devi & Ors, Vs. the State of Bihar), I am not inclined to entertain the prayer for anticipatory bail. Accordingly, this application is hereby dismissed with a liberty to the petitioners to first approach the Court of Sessions with the prayer for anticipatory bail.

(Soni Shrivastava, J)

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