

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79189 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- SHRI NAGAR District- Madhepura

1. Md. Ansar @ Ansar S/o Abdul Halim Resident of village - Puraini, Ward no. 4, P.S - Srinagar, District - Madhepura
2. Md. Gufran S/o Md. Sahim Resident of village - Puraini, Ward no. 4, P.S - Srinagar, District - Madhepura
3. Md. Anjar @ Anjar S/o Abdul Halim Resident of village - Puraini, Ward no. 4, P.S - Srinagar, District - Madhepura
4. Md. Intiyaz @ Intiyaz S/o Abdul Halim @ Mukhiya Resident of village - Puraini, Ward no. 4, P.S - Srinagar, District - Madhepura
5. Md. Firdosh @ Firoosh S/o Md. Sahim Resident of village - Puraini, Ward no. 4, P.S - Srinagar, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Pooja Prasad, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-12-2025 Heard Learned Counsel for the petitioners and

Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Srinagar P.S. Case No. 46 of 2025, lodged on 16.06.2025, under Sections 126(2)/115(2)/118(1) /110/352 / 351(2) /117(2)/303(2)/191(2) of the BNS, 2023.



3. As per the prosecution, FIR has been lodged against 11 named and two unknown accused persons including the present petitioners with allegation that accused persons reached at the house of the informant and started abuse and assaulted with lathi, danda, iron rod etc., due to which the injury has been caused. Allegation of outrage the modesty of the informant side and snatching of rupees five thousand has also been made in the FIR.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that informant and the accused persons are resident of same village and they are distant *Gotiya* for *rasta* the dispute has arisen and scuffle took place from both the sides. Learned Counsel submits that injury has also been caused from both the sides and for the same date and place of occurrence, the present FIR has been lodged by the informant's side bearing Srinagar P.S. Case No.46 of 2025 and petitioner side has also filed Srinagar P.S. Case No.47 of 2025. Counsel also submits that in the order-sheet it has also come that injuries are simple in nature. Counsel further submits that petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them.



5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Sri Subodh Kumar J.M., 1st Class, Madhepura, in connection with Srinagar P.S. Case No.46 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. And further condition that the Trial Court shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the Trial Court shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(Dr. Anshuman, J)

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