

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6394 of 2025

Arising Out of PS. Case No.-255 Year-2024 Thana- JHAJHA District- Jamui

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1. Rashid Miya @ Rashid Anshari S/o- Late Hushuini Miya
 2. Sufruddin Aanshari @ Sarfuddin Anshari S/o- Rashid Miya
 3. Mozmmil Aanshari @ Muzammil Anshari S/o- Rauff Miya
 4. Raja Ansari @ Istiyaque Anshari @ Raja S/o- Rauff Miya
 5. Md. Tajmul Anshari @ Md. Tajmul S/o- Rauff Miya.
- All are Village- KarmauliJhajha P.S.+ Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Sanju Singh, Advocate
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-05-2025 Heard Ms.Sanju Singh, learned counsel for the

petitioners and Mr.Ashok Kumar Singh, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Jhajha P.S.Case No.255 of 2024, FIR dated 24.06.2024 registered for the offences punishable under Sections 147,341,323,308 of the Indian Penal Code.

3. The prosecution story, in brief, is that one Md. Saddam made a written application alleging therein that on 23.06.2024 at about 1 PM, 1. Rauff Miya 2. Tohid Aanshari 3. Mazmil Aanshari 4. Raja Anshari 5. Tazmal Aanshari 6.



Surffudin Aanshari 7. Rashid Miya all are Resident of my Village Karma at half dozen other unknown persons intried forcibly into hence of the informant they all are Armed with weapons. They all are threatened to fled away after leaving in your land after prohibited they started so assault with the informant. Tohid Anshari assaulted with his Iron rod and Rauff Miya assaulted with Lathi Both of them have assaulted on the left hand and Right ear the informant became and fall on land. The family of informant came so rescue him. They also assaulted on them. The Mozmil Anshari has assaulted with Lathi so Md. Hamid Miya the Land of Hammid Miya became injured. The Raja Anshari and Tazmil Anshari assaulted to Md. Affridi with his rod. Who became injured and he has been referred to Sadar Hospital Jamui from Refferal Hospital for proper treatment. The Rashid Miya has assaulted to Samshad Anshari land Sarffudin Anshari has assaulted with his Lathi to right ear and leg and left hand have become injured and other family members were also injured. After hearing noise the neighbour persons gathered there after seen of coming to neighbour persons all of the accused persons, fled away according there after the FIR registered.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case. It appears from the FIR itself that due to admitted land dispute, the present occurrence had taken place and there is case and counter case. Although the petitioners are named in the FIR but from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioners rather there is specific allegation of assault attributed against co-accused persons, namely, Rauff Miya and Tohid Ansari.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent, there is no specific allegation of any assault or overt-act against the petitioners and there is case and counter case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Jhajha P.S. Case No.255 of 2024, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure/
Section 482(2) of BNSS, 2023 and with other following
conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below 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.

(Rajesh Kumar Verma, J)

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