

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85722 of 2025

Arising Out of PS. Case No.-643 Year-2024 Thana- MASHRAK District- Saran

1. Babudin @ Kadim @ Babudin Kadin @ Babudin Alam S/O Hakim Miyan R/O Village- Sundar, P.S.- Mashrakh, District- Saran
2. Manka Khatoon W/O Hakim Miyan R/O Village- Sundar, P.S.- Mashrakh, District- Saran
3. Sabina Khatoon @ Sabina Bibi W/O Babujan @ Bhola R/O Village- Sundar, P.S.- Mashrakh, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-12-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109(1), 303(2), 103(1), 352, 351(2)/3(5) of the Bharatiya Nyaya Sanhita.

3. As per F.I.R., all the named accused persons assaulted informant and his family members by means of *lathi*, *danda*, bricks, iron rod as a result of which, father of the informant died during course of treatment. It is further alleged that petitioner nos. 2 & 3 took away cash of Rs. 50,000/- and



jewellery worth Rs. 1,50,000/-.

4. Learned counsel for the petitioners submits that as per F.I.R., these petitioners are not alleged to have assaulted either informant or the deceased. There is absolutely no allegation of assault against these petitioners. Petitioner nos. 2 & 3 are only alleged to have snatched cash and jewellery which is ornamental only to make the case grave. It is further submitted that petitioners are falsely been implicated in this case merely because they happen to be family members of co-accused Babujan Miyan @ Bhola. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering backdrop of the case, nature of accusation and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Saran at Chapra in connection with Mashrakh P. S. Case No. 643 of 2024, 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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