

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.272 of 2025

Arising Out of PS. Case No.-42 Year-2024 Thana- Patauna District- Madhubani

1. Md. Afzal Son of Md. Ashfaq @ Ashfaq Resident of Village - Parsauni, P.S. - Patauna, District - Madhubani
2. Md. Faisal Son of Md. Ashfaq @ Ashfaq Resident of Village - Parsauni, P.S. - Patauna, District - Madhubani
3. Md. Ashfaq @ Ashfaq Son of Md. Hafiz Resident of Village - Parsauni, P.S. - Patauna, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate
For the State : Mr. Zainul Abedin, Advocate
For the Opposite Party/s : Mr. Vikash Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 21-02-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Patauna P.S. Case No. 42 of 2024, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 109, 303(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per prosecution case, in course of going towards his house, the informant was intercepted by altogether 7 accused



persons including the petitioners and further, all of them having armed with weapons, started abusing the informant and on protest, the informant was assaulted.

4. The learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated. There is a case and counter case and co-accused, Md. Anwar the member of defence side has also suffered some injuries. It has been submitted that the two grievous injuries were found on person of the injured but those grievous injuries are not attributed against the petitioners rather attributed against co-accused, Md. Anwar. Other injuries are simple in nature. The petitioners are the persons of clean antecedent.

5. On the other hand, learned Counsel for the informant opposed the prayer for bail of the petitioners by submitting that multiple injuries were found on the person of injured amongst which two are grievous in nature.

6. The grievous injuries found on the person of the informant are not attributable against these petitioners.

7. Considering the above-mentioned facts and circumstances especially the clean antecedent of the petitioners, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released on



anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate I, Benipatti in connection with Patauna P.S. Case No. 42 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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