

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3959 of 2025

Arising Out of PS. Case No.-125 Year-2024 Thana- SRINAGAR District- West Champaran

Hamidullah Dewan @ Hamdillah S/O Late Amrullah Dewan @ Amrullah R/o
- Dujaha Patjirwa Sheikh Toli, Ward No.10, P.S - Shri Nagar, District - west
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gauri Shankar Thakur
For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 13-08-2025 Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State and learned counsel
for the informant.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 126(2),
127(2), 115(2), 76, 64, 331(4), 352, 351(2), 62 of the BNS.

3. Allegation in the first information report is that the
petitioner, who is the brother-in-law of the informant, entered
into her house in the night and tried to disrobe her.

4. Learned counsel for the petitioner submits that
upon a bare reading of the first information report, it appears
that the allegations are not correct and are totally fabricated. It
does not stand to reason as to how the petitioner would enter
into the house of a married lady who is staying along with her



family and it is her own case that she was sleeping along with her son and while the petitioner was trying to flee away an attempt was made to apprehend him by the father-in-law and brother-in-law of the informant which shows their presence also in the house. It is next submitted that the present case is a result of a money dispute between the parties and a reference has also been made to Annexure-3 in this regard which is a complaint case filed by the wife of the petitioner against the husband of the informant and others.

5. Learned APP for the State and learned counsel for the informant have opposed the application for anticipatory bail. It has been specifically submitted by the learned counsel for the informant that the allegations against the petitioner is serious in nature and considering the same, he does not deserve the privilege of anticipatory bail.

6. Taking rival contentions into consideration including the fact that the entire narration of the FIR does not inspire confidence and also considering the background of the case that the petitioner is the brother-in-law of the informant and there is also a pending money dispute between them, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks



from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Shri Nagar P.S. Case No. 125 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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