

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8801 of 2026

Arising Out of PS. Case No.-183 Year-2024 Thana- PHENHARA District- East Champaran

1. Tamanne @ Md. Tamanne S/O Rahim Shekh @ Shekh Rahim R/O Village- Phenhara, P.S- Phenhara, Distt.- East Champaran.
2. Md. Jausir S/O Rahim Shekh @ Shekh Rahim R/O Village- Phenhara, P.S- Phenhara, Distt.- East Champaran.
3. Taufik S/O Rahim Shekh @ Shekh Rahim R/O Village- Phenhara, P.S- Phenhara, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliari, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-02-2026 Heard learned Counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail, arises out of Phenhara Police Station Case No. 183 of 2024/G.R. Case No. 7197 of 2024, disclosing offences under Sections 126(2), 115(2), 118(1), 109, 75, 303(2), 352, 351(2), 3(5) and added Section 103(2)(1) of BNS.



3. The prosecution case, as per the First Information Report, is that on 15.12.2024, while the informant along with her family members were at home, all the FIR named accused persons including the petitioners arrived there armed with *lathi danda*, *farsa*, sword and assaulted her husband Ekramul Shah. Md. Talim assaulted with *farsa* on his head due to which he sustained cut injury on his head. All the family members were assaulted. It is further alleged that the accused persons pressed the neck of informant with intention to kill her due to which she felt unconscious. Her locket was also snatched. They also took away Vivo Phone worth Rs. 15,000/- from the house of the informant.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to land dispute between the parties and they have not committed any offence as alleged. Both the parties are agnates. The main allegation of assault and overt act is against co-accused Md. Talim who is said to have assaulted with *farsa* on the head of the informant's husband which proved to be fatal and led him to death. So far as allegation



against these petitioners are concerned there has been general and omnibus allegation against them. Similarly situated co-accused persons have already been granted anticipatory bail by a Co-ordinate Bench of this Hon'ble vide order dated 03.09.2025, passed in Cr. Misc. No. 40391 of 2025.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that no specific allegation is against the petitioners and similarly situated co-accused persons have already been granted anticipatory bail by a Co-ordinate Bench of this Hon'ble Court, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, 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, Motihari, East Champaran, in connection with Phenara Police Station Case No. 183 of



2024/G.R. Case No. 7197 of 2024, subject to the condition
laid down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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