

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19623 of 2026

Arising Out of PS. Case No.-233 Year-2025 Thana- BAJPATTI District- Sitamarhi

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1. Md. Tammne @ Md Tammne Mansoori Md. Sabir Mansuri Resident Of Village- Harpurwa Ward no. 3, Ps- Bajpatti, Dist- Sitamarhi
 2. Md. Raja @ Mohammad Raja son of Md. Sabir Mansuri Resident Of Village- Harpurwa Ward no. 3, Ps- Bajpatti, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Mazharul Hassan, Advocate
For the State	:	Mr. Abhay Kumar, APP
For the Informant	:	Mr. Uday Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-04-2026 Heard learned counsel appearing on behalf of the petitioners, learned APP appearing on behalf of the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 118(1), 76, 303(2) and 3(5) of the B.N.S..

3. As per prosecution case, it is alleged that all the F.I.R. named accused persons, including these petitioners, armed with deadly weapons, came to the house of informant and Petitioner No. 2 assaulted her with sword. It is further alleged



that the accused persons also assaulted husband of informant and looted cash and gold ornaments from house of the informant.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. As a matter of fact, both parties are next door neighbours and due to long standing land dispute, this false and concocted case has been lodged. The present F.I.R. has been lodged after inordinate delay of four days and there is no plausible explanation for the same which itself makes the entire prosecution case doubtful. There is absolutely no allegation of assault against Petitioner No. 1. Rest of the allegations are ornamental in order to make the case grave.

5. On the other hand, learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. and there is specific accusation that they, along with other F.I.R. named accused persons, came to the house of informant and assaulted informant and her husband. There is specific accusation that Petitioner No. 2, namely Md. Raja, assaulted informant with sword due to which the informant sustained incised injury on



her face. As per injury report, the said injury has been found to be grievous in nature. Petitioners have got two criminal antecedents each.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation, criminal antecedents and nature of injuries allegedly caused by Petitioner No. 2, the prayer for grant of anticipatory bail to Petitioner No. 2 is rejected.

7. So far as Petitioner No. 1 is concerned, considering the facts and circumstances of the case, general and omnibus nature of accusation and delay in lodging of the F.I.R., the prayer for grant of anticipatory bail to Petitioner No. 1 is allowed.

8. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner No. 1 be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Pupri, Sitamarhi in connection with Bajpatti P.S. Case No. 233 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

9. With the aforesaid directions, this application



stands disposed of.

(Prabhat Kumar Singh, J)

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