

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21967 of 2026

Arising Out of PS. Case No.-485 Year-2025 Thana- PALASI District- Araria

1. Bibi Rahmati @ Rahmati @ Bibi Rahmatia W/o- Late Hasim R/v- Kurjri W.No-10, Ps- Palasi Dist- Araria
2. Afsari @ Bibi Afsari @ Afsar W/o- Asad R/v- Kurjri W.No-10, Ps- Palasi Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending arrest in connection with Palasi P.S. Case No. 485 of 2025, dated 10.12.2025, lodged under Sections 329(4), 126(2), 115(2), 103(1), 352 & 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against six named accused persons, including the present petitioners, alleging that the accused persons, armed with *lathi* and *danda*, abused and assaulted the informant’s family. The specific allegation against Md. Mujafar is that he assaulted the informant with a spade, causing injuries to her face.



4.Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that from the contents of the FIR, it becomes crystal clear that the specific allegation of assault is against Md. Mujafar and not against the petitioner. Counsel further submits that both parties are residents of the same locality and, on a petty dispute, a scuffle took place which resulted in the death of one of the informant's family members. However, the specific allegation is against one accused person, namely Md. Mujafar, who assaulted with a brick and a *silwat*, causing head injuries to one of the informant's family members, due to which the injured died. Counsel further submits that petitioner No. 1 is aged about 88 years and petitioner No. 2 is aged about 35 years. Counsel also submits that the criminal antecedents of the petitioners are clean.

5. Learned APP for the State opposes the prayer for bail of the petitioners but fairly submits that against the present petitioners there is no allegation, save and except that their names are mentioned in the accused column. Counsel further submits that the specific allegation is against Md. Mujafar.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on



anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of C.J.M., Araria, in connection with Palasi P.S. Case No. 485 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

Aman Kumar/-

U		T	
---	--	---	--

