

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31111 of 2026

Arising Out of PS. Case No.-241 Year-2023 Thana- PATAHI District- East Champaran

1. Rustam Khan S/o Usman Khan, Resident of Village - Birta Tola, Noonfarwa, PS - Patahi, District - East Champaran
2. Md. Samim Khan @ Samso Khan @ Samim Khan @ Samos Khan S/o Suleman Khan Resident of Village - Birta Tola, Noonfarwa, PS - Patahi, District - East Champaran
3. Md. Jamirullah @ Jamirullah Khan @ Sofi Sahab S/o Usman Khan Resident of Village - Birta Tola, Noonfarwa, PS - Patahi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 07-05-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered under Sections 341, 323, 324, 354(B), 308, 448 and 34 of IPC.

3. As per prosecution case, on the alleged date of occurrence, petitioner no.3 entered the house of informant and torn her clothes with bad intention. Co-accused Najirullah Khan assaulted the informant's husband with sword on his back. Petitioner no.2 is alleged to have assaulted him with *farsa* causing head injury and petitioner no.1 assaulted him with iron



rod. Other co-accused persons are alleged to have assaulted the informant and her family members.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The injury report does not corroborate the allegation as alleged in the F.I.R. From perusal of injury report, it appears that no one has sustained any grievous injury. The husband of the informant got simple injury. Both parties have now compromised the case. Charge sheet has already been submitted and there is no chance of absconding and tampering with the evidence. Petitioners have no criminal antecedent and they undertake to cooperate in the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties, nature of allegations made against the petitioners, and the facts that both parties have compromised the case and petitioners have clean antecedent, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail on furnishing bail bonds 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 Patahi P.S. Case No.241 of 2023, subject to
the conditions as laid down under Section 482(2) of the
Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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