

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49178 of 2026

Arising Out of PS. Case No.-435 Year-2023 Thana- BASANTPUR District- Siwan

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Mohammad Saukat @ Mohammad Saukat Ali S/O Late Mohammad
Rozaddin Miya @ Late Rozaddin R/O- Chhoti Lakri, Lakri, P.s- Basantpur
(Lakdi Nabiganj), Distt.- Siwan, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Abhijeet Abhigyan, Advocate
For the Opposite Party/s :	Mr. Brajendra Nath Pandey, A.P.P
For the Informant :	Mr. Shankar Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner, learned

counsel for the informant and learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Basantpur (Lakdi Nabiiganj) P.S. Case No. 435
of 2023 in a case registered for the offence punishable under
Sections 341, 323, 324, 325, 307, 379, 504 and 34 of I.P.C.

3. As per prosecution, on 14.08.2023 at about 6:30
P.M, while the informant was going to the mosque situated in
his village, the petitioners along with other co-accused armed
with lathi-danda, farsa, sword, sabal, iron rod and iron pipe,
surrounded him, abused him, tore his clothes and assaulted him.
When his family members came to rescue him, they were also



assaulted got injuries on head and jaw. It is further alleged that the petitioner armed with iron rod assaulted informant's grandson, due to which, his right hand was fractured and informant's son also received left hand fracture. It is further alleged that the accused persons snatched Rs. 5,000 from the informant's pocket and threatened them with dire consequences.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner also submits that the present case has been lodged after delay of two days. Lastly, the counsel submitted that petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation of assault against the petitioner.

6. Considering the submission and going through the order of the learned Court below that there is specific allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, if petitioner surrenders before the



concerned Trial Court within a period of six weeks from today then in that case, the Trial Court is directed to pass an order on his surrender-cum-bail application, without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Alok Kumar, J)

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