

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49964 of 2026

Arising Out of PS. Case No.-67 Year-2026 Thana- GURARU District- Gaya

1. Shakila Khatoon Wife of Md. Siraj @ Md. Sirajuddin Resident Of Village- Mahuli, Ps- Guraru, Dist- Gaya
2. Md. Murtaja son of Md. Idrish Resident Of Village- Mahuli, Ps- Guraru, Dist- Gaya
3. Md. Suhail @ Md Sohail Son of Md. Murtaja Resident Of Village- Mahuli, Ps- Guraru, Dist- Gaya
4. Md. Hasnaain @ Md. Md. Hasne Son of Md. Sirajuddin @ Md. siraj Resident Of Village- Mahuli, Ps- Guraru, Dist- Gaya
5. Md. Saheb Son of Md. Sohail @ Md. Sohel Resident Of Village- Mahuli, Ps- Guraru, Dist- Gaya
6. Md. Minhaj son of Md. Idrish Resident Of Village- Mahuli, Ps- Guraru, Dist- Gaya
7. Md. Parwej Son of Late Md. Hafij Resident Of Village- Mahuli, Ps- Guraru, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Guraru P.S. Case No. 67 of 2026 instituted for the offence under Sections 115(2), 117(2), 191(2), 191(3), 126(2), 109, 351(2), 352 of the B.N.S.

3. Prosecution case, in short, is that on 15.03.2026, the



informant after visiting the Tekari Registry office with Md. Samim, the informant was returning home and had just dropped of Md. Samim at his residence. While on the way near Md. Samim's house, a group of accused individuals, namely, Md. Murtaza, Md. Minhaz, Md. Sherasj, Md. Saheb, Md. Suhail, Md. Hasnain, Md. Parwez, and Shakila Khatoon intercepted the informant. The accused were armed with lathi, danda and iron rod assaulted the informant and even threatened to kill the informant if he proceeded with purchasing Md. Samim's land and then brutally assaulted him. It is further alleged that from the alleged assault resulted in a fracture to the informant's legs, causing him to faint and fall to the ground. When the informant asked for water, accused Md. Saheb allegedly urinated in his mouth. Md. Samim and his wife attempted to intervene in the altercation but were also assaulted by the accused persons.

4. Learned counsel for the petitioners submits that there is previous enmity between the petitioner and the informant and because of that accused persons were named in FIR. It is further submitted that there is no any specific allegation in respect of the petitioners. It has been submitted on behalf of the petitioners that the petitioners have no criminal antecedent.



5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account there is general and omnibus allegation against the petitioner nos. 1, 2, 3, 4, 6 and 7, let the petitioner nos. 1, 2, 3, 4, 6 and 7, above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Guraru P.S. Case No. 67 of 2026, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

7. So far as pre-arrest bail of the petitioner No. 5 Md. Saheb, is concerned, taking into account the nature and gravity of offence and there is direct allegation against the petitioner no.5, this Court is not inclined to grant anticipatory bail to the petitioner no.5 Md. Saheb.

8. Accordingly, the prayer for grant of anticipatory bail to the petitioner no.5 is, hereby, rejected.

9. However, if the petitioner no.5 surrenders before



the learned court below within a period of six weeks from today
and prays for regular bail, the same shall be disposed of on its
own merit without being prejudiced by this order.

(Alok Kumar, J)

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