

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80284 of 2025

Arising Out of PS. Case No.-50 Year-2000 Thana- MEHSI District- East Champaran

1. Sk. Ajim @ Md. Ajim, aged about 48 years, Gender-Male, Son of Shekh Yanus @ Shekh Yunis @ Shekh Yunus Resident of Village- Harpurnag Tola Bhimlapur, P.S.- Mehsi, District- East Champaran
2. Sk. Sabir @ Md. Sabir, aged about 61 years, Gender-Male, Son of Shekh Shamsuddin, Resident of Village- Harpurnag Tola Bhimlapur, P.S.- Mehsi, District- East Champaran.
3. Sk. Faruk @ Md. Faruk, aged about 55 years, Gender-Male, Son of Shekh Yanus @ Shekh Yunis @ Shekh Yunus, Resident of Village- Harpurnag Tola, Bhimlapur, P.S.- Mehsi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Trial No. 1998 of 2022 arising out of Mehsi P.S. Case No. 50 of 2000 instituted for the offences punishable under Sections 447, 341, 323, 504 and 307/34 of the Indian Penal Code.

3. As per allegation in the FIR, all the accused persons including these petitioners came at the house of the informant and called him, thereafter the informant came out from his house, then all the accused persons including the present petitioners abused and pressed his neck and upon alarm,



villagers arrived there and rescued him.

4. Learned counsel for the petitioners submits that petitioners are innocent have committed no offence and have falsely been implicated in this case merely on the basis of dirty village politics and have no concern with the alleged offence. He further submits that during course of investigation, no substantive evidence has been collected by the police against these petitioners. Petitioners have got clean antecedent as stated in para 3 of the petition.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioners.

6. From perusal of the FIR and the impugned order of the learned Sessions Judge, East Champaran, Motihari dated 30.06.2025, it appears that on the basis of written report of the informant, namely, Ramdeo Raut, FIR has been registered under Sections 447, 341, 323 and 504/34 of the Indian Penal Code against four co-accused persons including the present petitioners and the allegation is of abusing and pressing the neck of the informant. From perusal of the impugned order, the police has submitted chargesheet of an additional offence under Section 307 of the Indian Penal Code but the has not been registered in the said FIR but the learned Magistrate took cognizance for the



offence punishable under Sections 307/34 of the Indian Penal Code, so considering all these aspects of the case and submission of learned counsel for the petitioners, I am inclined to grant anticipatory bail to the petitioners.

7. Accordingly, let the above named three petitioners be released on anticipatory bail, in the event of their arrest or surrender before the trial Court within a period of six weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari / Successor Court in connection with Trial No. 1998 of 2022 arising out of Mehshi P.S. Case No. 50 of 2000, subject to the conditions laid down in Section 482(2) of the BNSS.

(Ramesh Chand Malviya, J)

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