

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87493 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- TATARPUR District- Bhagalpur

1. Md. Afaz Shamim @ Shonti S/o- Md. Shamim Uddin R/v- Rayeen Tola, Sarai Ps- Tatarpur Dist- Bhagalpur
2. Md. Ejaz Shamim @ Banti S/o- Md. Shamim Uddin R/v- Rayeen Tola, Sarai Ps- Tatarpur Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 12-01-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Tatarpur P.S. Case No. 80 of 2025, instituted under Sections 126(2), 115(2), 118(1), 109(1), 351(2), 3(5) of the B.N.S.

3. As per the prosecution case, on the date of occurrence petitioners assaulted Md. Sagar while he was sitting on a vehicle. On protest, petitioners assaulted the informant on her head. When the daughters of informant came to save, petitioners assaulted them. Along with petitioners their family members also came and threatened them.



4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. On the date of occurrence, the prosecution party brutally assaulted to Petitioner No. 2 for which F.I.R. No. 79 of 2025 was lodged and as a counter the present case has been lodged by the informant. The prosecution alleged that Petitioner No. 1 assaulted with rod upon the head of the informant but the Doctor has not found any injury on her head whereas the injury of the informant is swelling on wrist causing by blunt substance which does not support the prosecution case. The injury of Seema Praveen has also been reserved whereas Doctor has not found pain in the abdomen of Sitara which does not support the prosecution case. Petitioners are preparing for competitive exams having no criminal antecedent. They undertake to co-operate in the investigation and trial. Other co-accused persons have already been granted anticipatory bail by the Court concerned.

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

6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six



weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bhagalpur in connection with Tatarpur P.S. Case No. 80 of 2025, subject to the conditions laid down in Section 482 (2) of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J.)

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