

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89096 of 2025

Arising Out of PS. Case No.-227 Year-2025 Thana- AMDABAD District- Katihar

Sk. Banty @ Manowwar @ Manowwar Alam @ Manowar Alam Banti S/O
Sk. Hakim @ Ablul Hakim Resident of Village - Rasidpur Harishchandrapur,
P.S- Harishchandrapur,Dist- Malda (WB)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 89129 of 2025

Arising Out of PS. Case No.-227 Year-2025 Thana- AMDABAD District- Katihar

Sk. Jony @ Shekh Jony S/o Shekh Biltu R/o Rasidpur, PS- Harishchandrapur,
Distt- Malda, W.B

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 89096 of 2025)

For the Petitioner/s : Mr.Suresh Prasad Sah, Advocate

For the Opposite Party/s : Ms.Veena Kumari Jaiswal, APP

(In CRIMINAL MISCELLANEOUS No. 89129 of 2025)

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2026 Heard Mr.Suresh Prasad Sah, learned counsel for the

petitioner and Ms.Veena Kumari Jaiswal, learned Additional

Public Prosecutor for the State (In Criminal Miscellaneous No.

89096 of 2025), Mr.Sanjeev Kumar Singh, learned counsel for
the petitioner and Mr.Yogendra Kumar, learned Additional

Public Prosecutor for the State(In Criminal Miscellaneous No.



89129 of 2025).

2. The petitioners are apprehending their arrest in connection with Amdabad P.S.Case No.227 of 2025, FIR dated 12.09.2025 registered for the offences punishable under Sections 126(2), 115(2), 353, 351(2), 351(3), 125(b), 109, 117(2), 303(2),3(5) of BNS, 2023.

3. Allegation against petitioners is that they allegedly assaulted to the husband of the informant due to some dispute when he was boarding the boat and he was mercilessly assaulted and left unconscious at the place of occurrence, from where his family members arrived and took him to the hospital.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent. The allegation as alleged in the FIR is false and fabricated. From a bare perusal of the FIR it appears that due to some petty dispute the present occurrence had taken place. Although there is specific allegation against the petitioners that they have assaulted to the husband of the informant but the injury report of the husband of the informant suggests that the injury is simple in nature caused by hard and blunt substance.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the



petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent and injury inflicted upon the injured person is simple in nature, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand)each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Amdabad P.S.Case No.227 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS,2023 and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall



verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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