

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73587 of 2024**

Arising Out of PS. Case No.-93 Year-2024 Thana- AGRER District- Rohtas

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1. Sammu Khan Son of Alimuddin Khan Resident of Village - Baradih, P.S. - Agrer, District -Rohtas
  2. Nizamuddin Khan Son of Alimuddin Khan Resident of Village - Baradih, P.S. - Agrer, District -Rohtas
  3. Gheyas Khan @ Ghayasuddin Khan Son of Alimuddin Khan Resident of Village - Baradih, P.S. - Agrer, District -Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Jai Prakash Singh, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH**

ORAL ORDER

2      23-10-2024                      Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 126(2), 115, 109, 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita.

3. As per the prosecution case, when the informant was ploughing his field, the petitioners, who are the full brothers, came and asked him not to plough the field. It is further alleged that when he was returning to home, the petitioner no.1 stopped the informant and grabbed the hair and



started abusing and tried to drown him in the pond. In the meantime, the villagers reached there and saved him. Further, the petitioners threatened to kill the informant.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. The occurrence took place on 20.07.2024 but the FIR was lodged on 27.07.2023 and there is no explanation for this delay. The petitioners have no concern with the alleged offence. The petitioners have one criminal antecedent as stated at para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Rohtas at Sasaram in connection with Agrer P.S. Case No. 93 of 2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with the condition:-



(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

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