

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2563 of 2025

Arising Out of PS. Case No.-1334 Year-2024 Thana- PHULWARISHARIF District- Patna

1. Md. Faizi @ Md. Faiz @ Md. Faizy S/O Late Ehtasham Ahmad @ Late Md. Ehsan Resident of Village- Ishapur Murgiya Tola, P.S- Phulwari Sharif, Distt.- Patna.
2. Farhan S/O Late Ehtasham Ahmad @ Late Md. Ehsan Resident of Village- Ishapur Murgiya Tola, P.S- Phulwari Sharif, Distt.- Patna.
3. Imran S/O Late Ehtasham Ahmad @ Late Md. Ehsan Resident of Village- Ishapur Murgiya Tola, P.S- Phulwari Sharif, Distt.- Patna.
4. Sameer S/O Late Ehtasham Ahmad @ Late Md. Ehsan Resident of Village- Ishapur Murgiya Tola, P.S- Phulwari Sharif, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 09-06-2025 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Phulwarisharif PS case no. 1334 of 2024 dated 07.09.2024, disclosing offences punishable under Section 126(2) and other allied sections of the B.N.S.S. 2023.
3. The prosecution story, as per the First Information Report, is that on 06.09.2024 in the evening at about 7 pm, when the informant was going towards his house at Phulwarisharif along with his brother namely Shahnawaz



Akhtar, they were surrounded by the petitioners and three unknown persons. It is alleged that the accused persons caught hold the informant, threatened him, abused him and also demanded a sum of Rs. 10 lacs as rangdari. It has further been alleged that on 31.08.2024 at about 4 pm, the petitioners broke the lock of the house of the informant and threatened to kill the informant and others.

4. Learned Counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case due to dispute regarding tenancy. The petitioners are residing in the house in question for the last 06 years i.e. since about 2018-19 as a tenant. The informant has purchased the house in the year 2021 by sale deed. Learned counsel further submits that the dispute between the parties is tenant- landlord dispute. The informant tried to forcibly kick-off the petitioners from their tenanted premises. They are bonafide tenants in the house in question, which was purchased by the informant. The tenanted premises of the petitioners is consisted of two rooms, verandah and kitchen. He also submits that the petitioners undertake that they shall vacate the tenanted premises within a period of one year, positively. Lastly, he submits that the cases referred to in



paragraph no. 3 of the present petition have been lodged by the family members of the petitioners due to land dispute and pendency of title suit between them.

5. On the other hand, learned counsel for the informant vehemently opposed the prayer for anticipatory bail, however submits that if the petitioners vacate the tenanted premises, which has been purchased by the father of the informant, within a period of one year, the petitioners may be released on provisional bail.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that there is landlord-tenant dispute between the parties and the petitioners have undertaken to vacate the tenanted premises within a period of one year, let the petitioners be released on provisional 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 Sub-Judge IV-cum-A.C.J.M.-IV, Patna in connection with Phulwarisharif PS case no. 1334 of 2024, subject to the condition that the petitioners shall abide by the undertaking and shall vacate the tenanted premises within a period of one year from today, positively.

7. It is made clear that if the petitioners vacate the



premises within one year, the court of Sub-Judge IV-cum-A.C.J.M.-IV, Patna shall confirm the provisional bail of the petitioners.

8. With the aforesaid observations and directions, the present petition stands disposed.

(Anil Kumar Sinha, J)

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