

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13300 of 2025

Arising Out of PS. Case No.-302 Year-2024 Thana- ADAPUR District- East Champaran

1. Mozamil Hussain Son of Naimul Hassan @ Naimul Hussain Resident of Village- Jamunapur Aurariya, P.S.- Adapur, Distt.- East Champaran
2. Modasil Hussain @ Mudasil Hussain @ Modasir Hussain @ Mudasir Hussain Son of Naimul Hassan @ Naimul Hussain Resident of Village- Jamunapur Aurariya, P.S.- Adapur, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 28-03-2025 Heard Learned Counsel for the petitioners and

Learned APP for the State.

2. The present Cr. Misc. Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioners who apprehends their arrest in connection with Adapur P.S. Case No. 302 of 2024 lodged on 30.09.2024, for the offence punishable under Sections 317(4) & 317(5) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as "BNS, 2023").

3. As per the prosecution, FIR has been lodged against two named accused persons including the present petitioners from whose possession, recovery of articles has been made which was subject to theft.

4. Learned Counsel for the petitioners submits that the



petitioners are innocent and have committed no offence. Counsel submits that petitioners have no criminal antecedent and the alleged articles which has been recovered is basically purchased articles of the petitioners for which they have paid the G.S.T (Goods and Service Tax). Counsel submits that the said tax invoice is annexed as Annexures-2 & 3.

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

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Judicial Magistrate 1st Class, Raxaul at Motihari, East Champaran in connection with Adapur P.S. Case No. 302 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

Divyansh/-

U		T	
---	--	---	--

