

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22600 of 2025

Arising Out of PS. Case No.-34 Year-2024 Thana- THAWE District- Gopalganj

Sahnor @ Shahenoor Alam S/O Kudus Alam @ Kudus Village- Bedu Tola,
P.S.- Thawe, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-04-2025 Heard Mr. Javed Aslam, learned counsel for the

petitioner and Mr. Chandra Sen Prasad Singh, learned APP for

the State.

2. The petitioner is apprehending his arrest in connection with Thawe P.S. Case No. 34 of 2024, F.I.R. dated 09.02.2024 registered for the offences punishable under Sections 147, 148, 149, 431, 353, 427, 504, 506 of the Indian Penal Code and Section 3, 4 of Prevention of Damage to Public Property Act, 1984..

3. According to the prosecution case, upon getting information regarding blockage of road near Tin Muhani at Baiju Tola due to altercation between two sides, the informant along with police personnel reached at the alleged place of occurrence and found that the road blocked by burning tyres and



when the police requested the mob to clear the road, they raised slogans against the police, committed *dhakka-mukki* with the police and also damaged ambulance carrying patient. It is further alleged that all this act was captured in the videography.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that upon perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused named and unknown persons including the petitioner. He further submits that similarly situated co-accused person namely Sanjar @ Sanjar Alam has been granted the privilege of anticipatory bail vide order dated 03.07.2024 passed in Cr. Misc. No. 40646 of 2024.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is no specific allegation of any assault or overt act



attributed against the petitioner as well as similarly situated co-accused person has been granted bail by this Court, let the petitioner, above named, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Thawe P.S. Case No. 34 of 2024, 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 :-

(1) Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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