

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21470 of 2025

Arising Out of PS. Case No.-245 Year-2024 Thana- ARARIA District- Araria

1. Hafeez Son of Late Riyaz @ Riyajuddin
 2. Manjoor @ Manjoor Alam S/o Late Riyaj @ Riyajuddin
 3. Kesar @ Kaisar @ Kaisar Alam S/o Manjoor Alam @ Manjoor
 4. Sarfaraz S/o Late Kalim
- All are resident of village- Lahtora, ward no 03, PS- Araria, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Jha, Advocate
For the Opposite Party/s : Ms.Pushpa Sinha.1,APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-04-2025 Heard learned counsel appearing on behalf of the
petitioners and the learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with
Araria P.S.Case No.245 of 2024, registered for the offences
punishable under Sections 341, 323, 427, 436, 504 and 506/34
of the Indian Penal Code .

3. As per the allegation made in the FIR, the
informant was running a Coaching Institute in the name and
style as “Brilliant Kids Zone Coaching Centre”, which was set
on fire by the petitioners. The specific allegation against the
petitioner no.3 (Kesar @ Kaisar @ Kaisar Alam) is that he had
set on fire the said Coaching Institute causing damage to the



property of the Coaching Centre along with the other accused persons.

4. Learned counsel appearing on behalf of the petitioners submitted that the land on which the Coaching Institute is being run belongs to one Kamar Zia. The said Kamar Zia along with the other persons executed a registered sale-deed on 01.08.2024 and 06.08.2024 in favour of petitioner no.3 thereafter, the dispute arose between the parties and on frivolous grounds, the petitioners have been implicated in a false case in collusion with the Police.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the nature of allegation made in the FIR, I find that the petitioner no.3 along with the other co-accused persons forcibly wanted to vacate the Coaching Institute from the said land, on which the informant was running the Coaching Institute.

7. Considering the direct allegation against the petitioner no.3 (Kesar @ Kaisar @ Kaisar Alam), I am not inclined to enlarge the petitioner no.3 on pre-arrest bail.

8. So far as petitioners no.1 Hafeez, 2. Manjoor @



Manjoor Alam and 4. Sarfaraz are concerned, they are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned district court within a period of four weeks from today, on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Araria/concerned court, in connection with Araria P.S.Case No.245/2024, subject to conditions as laid down under Section 482(2) of BNSS of 2023

9. The learned district court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

10. Accordingly, the present bail application stands disposed of.

(Purnendu Singh, J)

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