

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26743 of 2025

Arising Out of PS. Case No.-192 Year-2024 Thana- BAHADURGANJ District- Kishanganj

1. Alam @ Alam Sah S/O Salim Sah R/O Village- Satal Istamrar, P.S- Bahadurganj, Distt.- Kishanganj.
2. Hakim @ Hamid Alam S/O Moinauddin R/O Village- Satal Istamrar, P.S- Bahadurganj, Distt.- Kishanganj.
3. Naushad Alam S/O Ramjan @ Md Saiyad Alam R/O Village- Satal Istamrar, P.S- Bahadurganj, Distt.- Kishanganj.
4. Munna @ Nadeem Anwar S/O Farukh R/O Village- Satal Istamrar, P.S- Bahadurganj, Distt.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-05-2025 Heard Mr. Ram Prawesh Kumar, learned counsel
for the petitioners and Mr. Shailendra Kumar, learned Additional
Public Prosecutor for the State.

2. Learned counsel for the petitioners seeks permission
to withdraw this application with respect to petitioner no. 4,
namely, Munna @ Nadeem Anwar.

3. Permission is accorded.

4. Accordingly, this application stands dismissed as
withdrawn with respect to petitioner no. 4.

5. The petitioners (except petitioner no. 4) are



apprehending their arrest in connection with Bahadurganj P.S. Case No. 192 of 2024, F.I.R. dated 11.07.2024 for the offences punishable under Sections 191(2), 191(3), 190, 324(4), 305(1), 125(1), 125(2), 126(2), 115(2), 117(2), 118(2), 109, 352 and 351(2) of the Bhartiya Nyaya Sanhita, 2023.

6. According to prosecution case, due to land dispute all the accused persons including these petitioners have assaulted to the informant and his family members and also threw stones on his house. It is further alleged that all the accused persons looted away the household articles and fled away.

7. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that it appears from the F.I.R that there is no specific allegation against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners. He further submits that several similarly situated co-accused have been granted anticipatory bail by this Court vide orders dated 20.05.2025 passed in Cr. Misc. No. 20731 of 2025 & Cr. Misc. No. 26309 of 2025 and co-accused, namely, Halim and others have been granted anticipatory bail by a Co-ordinate Bench of



this Court vide order dated 04.12.2024 passed in Cr. Misc. No. 79675 of 2024.

8. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

9. Considering the aforesaid facts and circumstances, let the petitioners (except petitioner no. 4), above named, in the event of 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/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj in connection with Bahadurganj P.S. Case No. 192 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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