

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33089 of 2025

Arising Out of PS. Case No.-304 Year-2024 Thana- CHIRAIYA District- East Champaran

1. Raja Sahni @ Raja Kumar son of Upendra Sahani Village- Singhiya Hiban, Motihari, Ps- Banjariya, Dist- East Champaran
2. Shamshad Ansari Son of Vakil Ansari Village-Chailaha , Ps- Banjariya, Dist- East Champaran
3. Jahir Ansari @ Jahir Aalam son of Naimuddin Ansari Village- Nagar Nigam Motihari, ward no. 1, Ps- Banjariya, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajeet Kumar Bhawdwaj, Adv
For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 13-08-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable u/s 126(2), 115(2), 118(1), 137(2), 109, 303(2) and 3(5) of the B.N.S.

3. As per the prosecution case, the petitioners had called the informant to play cricket and had also asked to call other persons. Further, the petitioners are alleged to have abducted the informant and his friends and assaulted them brutally and the co-accused Rahul Kumar threatened the informant with dire consequences on the point of pistol.



4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that the specific allegation of assault is against the co-accused *Rahul Kumar* while there is general and omnibus allegation against the petitioners. From perusal of the injury report, it is evident that the injuries sustained by the prosecution side were found to be simple in nature. It is lastly submitted that the petitioners have clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case and also considering the fact that the petitioners have clean antecedent, let the above named petitioners, in the event of their arrest/surrender within a period of four weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, East Chamaparan, in connection with Chiraiya P.S. Case No. 304 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.), with further condition/s:-



(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be canceled by the Court concerned.

(iv) The learned 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 antecedents, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

7. This application stands allowed.

(Sourendra Pandey, J)

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