

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37029 of 2025

Arising Out of PS. Case No.-17 Year-2022 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

=====

Md. Tavarez @ Md. Tavarez Ansari @ Alam S/o Md. Mobin R/o vill -
Jafarpatti Desari, P.S.- Rajapakar, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vipin Kumar, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Pd., App.

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 25-06-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail,
arises out of Kazi Mohammadpur Police Station Case No. 17 of
2022, disclosing offences under Sections 452, 341, 323, 307,
120(B), 34 of the Indian Penal Code and Section 27 of the Arms
Act.
3. As per the FIR, on 12.01.2022, the accused
persons namely Md. Imam and Md. Ali Ashraf, brother-in-law
and son of Md. Ali Imam, entered into the house of the
informant and Md. Imam fired bullet upon the informant's
brother-in-law namely Ziyaur Rehman, due to which he
sustained bullet injury in his abdomen.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to land dispute between the informant and Md. Ali Imam who happens to be the brother-in-law of the petitioner. He next submits that the FIR was lodged on 12.01.2022 in which the name of one Md. Imam was specifically mentioned by the informant who allegedly fired upon the brother-in-law of the informant. The name of the petitioner has been disclosed by the informant after about two years of the date of occurrence stating that alias name of the petitioner is Md. Imam. The alias name of the petitioner was not disclosed by the informant within a reasonable time frame after lodging of the FIR. The petitioner denies that his alias name is Md. Imam.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there is a land dispute between the informant and brother-in-law of the petitioner, the name of assailant was disclosed as Md. Iman at the time of lodging of the FIR and petitioner's name has been disclosed after two years of lodging of the FIR, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of



his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge, Muzaffarpur, in connection with Kazi Mohammadpur Police Station Case No. 17 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

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

