

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33462 of 2025

Arising Out of PS. Case No.-384 Year-2024 Thana- SASARAM NAGAR District- Rohtas

1. Mujafar Imam @ Saiyad Muhammad Mujafar@ Saiyad Muhammad Mujafar Imam son of Usuf Imam
2. Bali Imam Son of Usuf Imam @ Isuf Imam
Both R/o Village- Chawar Takiya , PS- Sasaram Town , Dist -Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-05-2025 Heard Mr.Rajani Kant Singh, learned counsel for the petitioners and Mr.Amitesh Kumar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Sasaram Town P.S.Case No.384 of 2024, FIR dated 26.04.2024 registered for the offences punishable under Sections 147,149,323,341,354B,354A,379,385,427,448,504 and 506 of IPC.

3. As per FIR, allegation against the petitioners including other co-accused persons is that they abused the informant and assaulted the father-in-law Jalaludin Ansari and there is no specific allegation against the petitioners.



4. Learned counsel for the petitioners submits that due to admitted land dispute, the petitioners have falsely been implicated in the present case. It appears from the FIR that although the petitioners are named in the FIR but there is no specific allegation of any assault or overt-act attributed against the petitioners and both the parties are agnates to each other and there is case and counter case. Specific allegation of assault is attributed against co-accused person, namely, Danish Imam and there is no specific allegation against the petitioners and one Title Suit No.147 of 2023 is pending between the parties before the competent court of law.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners and submits that petitioner No.1 carries three more cases and petitioner No.2 carries four more cases other than the present one but fairly submits that the petitioners are on bail in all the pending matters, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, due to admitted land dispute, the present occurrence had taken place, there is case and counter case and there is no specific allegation against the petitioners, let the petitioners, above named, in the event of



their 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 learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram Town P.S. Case No.384 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:-

(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 bonds shall be cancelled by the Court below.

(II) If the petitioners tamper 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 antecedents, 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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