

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38851 of 2025

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

Danish Emam @ Syed Danish Emam Son of Yusuf Emam @ Syed Mohammad Yusuf Resident of Village- Bhilai Street Metal Works , Nandani Road , Power House , Khursipur , Bhilai Durg , Chandigarh At present Mohalla Chanwar Takiya , PS Sasaram Town , Distt.- 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.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-07-2025 Heard Mr.Rajani Kant Singh, learned counsel for the petitioner and Mr.Bhanu Pratap Singh, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 28.03.2025 in connection with Sasaram Town P.S. Case No. 384 of 2024, F.I.R. dated 26.04.2024 registered for the offence punishable under Sections 147, 149, 323, 341, 354B, 354A, 379, 385, 427, 448, 504 and 506 of IPC.

3. The case of the prosecution is that the informant is living with her two daughters in the house of her brother-in-law. On 26.04.2024, at about 4:00 P.M. nine accused persons, including the petitioner enter the house of the informant. breaking the door of the house. They started abusing and on



objection being made by the informant, Danish pushed the daughter of the informant and torn her clothes. They were attempting to take her away. It is further alleged that Lali Imam enter her house with the country made pistol and threatened her of dire consequences, took away the jewelleries worth Rs.4,00,000/- (four lacs). When Jalaludin Ansari aged about 74 years came to rescue all the accused persons assaulted him.

4. Learned counsel appearing for the petitioner submits that the petitioner is in custody since 28.03.2025 and due to admitted land dispute, the present occurrence had taken place. There is case and counter case. There is one Title Suit is pending between the parties. Although the petitioner is named in the FIR but from a bare perusal of the FIR it appears that the allegation against the petitioner is that he has misbehaved with the daughter of the informant and apart from that, there is no specific allegation against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and similarly situated co-accused persons, namely, Mujafar Imam @ Saiyad Muhammad Mufafar @ Saiyad Muhammad Mujafar Imam and Bali Imam have been granted privilege of anticipatory bail by this Court vide order dated 21.05.2025 passed in Cr. Misc. No.33462 of 2025 and co-



accused person, namely, Saiyad Haider Imam @ Haider Imam @ Guddu has been granted regular bail by a Coordinate Bench of this Hon'ble Court vide order dated 21.05.2025 passed in Cr. Misc. No.31304 of 2025 and the petitioner is in custody since 28.03.2025 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 28.03.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner in the FIR and apart from that, the petitioner carries one more case other than the present one but fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, similarly situated co-accused persons have been granted anticipatory bail or regular bail by this Court or by a Coordinate Bench of this Hon'ble Court, there is case and counter case and one title suit is pending between the parties, let the petitioner, above named, 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 Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram Town P.S. Case No. 384



of 2024, with the following conditions:-

(I) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner 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 petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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