

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39995 of 2025

Arising Out of PS. Case No.-413 Year-2024 Thana- SIWAN CITY District- Siwan

Waris Ali Son of Shamshad Ahmad @ Shamshad Ali Resident of Village-
Naya Kila Nawalpur, P.S.- Siwan Town, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md Irshad, Adv.

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 27-08-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 126(2),
115(2), 109 and 351(2) of the BNS, 2023 read with Section 27
of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and the informant alleges
that while he was feeding his cattle when Shamshad along with
his licensed gun came and fired, but missed thereafter Shamshad
assaulted him by butt of pistol causing injury on head and when
Sanjeet came to rescue him, he was assaulted by both the sons
of Shamshad and the informant was threatened to leave the land.

4. Learned counsel appearing on behalf of the



petitioner submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that on account of dispute relating to land, the occurrence is alleged to have taken place. It is further submitted that in order to give serious colour to the case, it is alleged that Shamshad came with his licensed weapon and fired, but then missed. It is also submitted that the informant alleges that sons of Shamshad assaulted Sanjeet causing injury. It is next submitted that no doubt injury suffered by Sanjeet is opined to be grievous, but then it is on forearms and from perusal of the allegation as alleged in the FIR, it would manifest that the allegation of assault against the petitioner is not specific. It is also submitted that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like



amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Siwan (Town) P.S. Case No. 413 of 2024 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application is allowed.

(Satyavrat Verma, J)

Rishabh/-

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

