

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42402 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- Marnga District- Purnia

Sakir Raja @ Chand @ Md. Sakir Raja @ Md. Chand S/o Md. Ayub R/o
Village- Vikrampatti, Ward No. 8, P.S.- Maranga, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.

Dr. Bidhu Ranjan, Adv.

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-07-2025 Heard Mr. N.K. Agrawal, Learned Senior Counsel

with Dr. Bidhu Ranjan, Advocate for the petitioner and Learned

APP for the State.

2. The present Criminal Miscellaneous Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehend his arrest in connection with Maranga P.S. Case No.21 of 2025 lodged on 27.01.2025, for the offences punishable under Sections 103(1) and 3(5) of the B.N.S., 2023.

3. As per the prosecution, FIR has been lodged against three named accused persons including the petitioner with allegation that the petitioner along with two others have entered



into the house of the informant 5 days earlier before the occurrence and assaulted the son of the informant. The said accused has also threaten the informant to kill his son within 10 days. It has been submitted that the son of the informant has been called on the ground of flag hoisting from his house, but his son was not returned. Thereafter, informant has seen the dead body of his son and then on 27.01.2025, the present FIR has been lodged.

4. Learned Senior Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the petitioner has been falsely implicated in the present case. He further submits that only by virtue of suspicion, the case has been lodged. He further submits that allegation has been made that 10 days earlier, assault has been made, but in this regard, no FIR has been lodged.

5. Senior Counsel further submits that the criminal antecedent of the petitioner is clean. He further submits that under deep rooted conspiracy, the petitioner's name has come in this case.

6. Learned APP for the State opposes the prayer for bail and submits that informant has strong suspicion because petitioner was a last seen person with whom the informant's son



was walking.

7. Counsel further submits that in case diary, it is acknowledged by the Sessions Judge at the time of rejection of the bail that it is a case of strong suspicion as there was threat by the petitioner as well as earlier dispute took place with them and petitioner is a last seen person.

8. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner, therefore the bail application of the petitioner is hereby rejected.

9. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within 4 weeks from today and prays for regular bail, then trial court shall pass order on merit without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

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