

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47265 of 2025

Arising Out of PS. Case No.-51 Year-2021 Thana- SIGAUDI District- Patna

Chand Mistry @ Md. Shabbir S/o- Md. Wazir Ansari Village- Sigori PS-
Sigori District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-07-2025 Heard Mr. Ashok Kumr Sinha, learned counsel for
the petitioner and Mr. Raj Kishor Singh, learned APP for the
State.

2. The petitioner is apprehending his arrest in connection with Sigori P.S. Case No. 51 of 2021, F.I.R. dated 25.04.2021 registered for the offences punishable under Sections 147, 149, 151, 152, 186, 188, 323, 333, 337, 338, 379, 427, 436, 353, 307, 504 of the Indian Penal Code and Section 27 of the Arms Act.

3. The allegation against the petitioner is that he intercepted the police officials and created hindrance in discharge of their officials duties.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely



implicated in the present case. It appears from the F.I.R. that on the basis of CCTV footage, the petitioner and other co-accused persons have been falsely implicated in the present case. He further submits that it appears from the F.I.R. that there is no specific allegation of any assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that co-accused person namely Bauaa @ Tarique Anwar has been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 01.12.2022 passed in Cr. Misc. No. 38444 of 2022, another co-accused person namely, Azhar @ Md. Azharuddin Alam has been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 01.05.2023 passed in Cr. Misc. No. 74705 of 2022, another co-accused persons namely Mahfooz Alam @ Mahfooz Ansari and others have been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 30.05.2023 passed in Cr. Misc. No. 17190 of 2023, another co-accused person namely Ahmad @ Md. Ahamad Ali Ansari has been granted the privilege of anticipatory bail by this Court vide order dated 013.12.2023 passed in Cr. Misc. No. 56474 of 2023 respectively.



5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is no specific allegation against the petitioner in the F.I.R. and part from that on the basis of CCTV footage, the present F.I.R. was instituted as well as similarly situated co-accused persons have been granted the privilege of anticipatory bail by this Court or by a Coordinate Bench of this Court, let the petitioner, above named, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Danapur, Patna in connection with Sigori P.S. Case No. 51 of 2021, 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 :-

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

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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