

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52299 of 2025

Arising Out of PS. Case No.-65 Year-2025 Thana- SIKTI District- Araria

1. RAHMAT S/O NIZAMUDDIN R/o Vill.- Singhia, P.S.- Sikty, Dist.- Araria.
2. MANIR @ MANIRUDDIN S/O LATE FAKIR R/o Vill.- Singhia, P.S.- Sikty, Dist.- Araria.
3. JUHI @ NAGAMA @ NAGAMA KHATOON W/O JUNAID @ JUNAIL ALAM R/o Vill.- Singhia, P.S.- Sikty, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Sikty P.S. Case No. 65 of 2025, dated 15.04.2025, lodged under Sections 221, 262, 263, 132, 303(2), 317(2), 317(4), 317(5) and 111 of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against ten named accused persons. It is alleged that during a police raid at the premises of one of the accused, two stolen motorcycles were recovered. Upon further raid at the premises of another accused, one more stolen motorcycle was found. The police



prepared a seizure list of the three stolen motorcycles and arrested two accused persons on the spot. However, subsequently, all the remaining accused persons, including the present petitioners, arrived at the scene, created a commotion ("*halla*"), and assisted the arrested persons in fleeing. They also obstructed the police from performing their official duties.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He further submits that the allegations against the petitioners are general and omnibus in nature. He also submits that there is no specific allegation of assault on the raiding party. As per the FIR, the names of the petitioners have figured solely on the basis of the confessional statement of the local chowkidar. He further submits that petitioner No. 2 is aged about 74 years, and petitioner No. 3 is a lady. Furthermore, he submits that the criminal antecedents of the petitioners are clean.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that they obstructed the police from performing their official duties and assisted the accused persons in fleeing from the spot.

6. As such, in the present facts and circumstances of this case, let the petitioner No. 3, namely, JUHI @ NAGAMA



@ NAGAMA KHATOON be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of J.M. 1st Class, Araria, in connection with Sikty P.S. Case No. 65 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. So far as the bail applications of the petitioner No. 1 and the petitioner No. 2, namely, RAHMAT and MANIR @ MANIRUDDIN are concerned, their bail applications are hereby rejected, with a liberty that in case, the petitioner No. 1 and the petitioner No. 2 surrender within six weeks before the Trial Court, then the Trial Court is directed to pass order on his surrender-cum-bail applications on the same day without being prejudice that the anticipatory bail of the petitioner No. 1 and the petitioner No. 2 has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J.)

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