

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52905 of 2025

Arising Out of PS. Case No.-140 Year-2025 Thana- GOPALPUR District- Gopalganj

1. Wajid Ansari S/o Rehaan Ansari R/O Village - Bathana Kutti P.S- Kuchaikote, District- Gopalganj
2. Abdul Rauf S/o Israil Sah @ Israyal Sah R/O Village - Sudama Chak, P.S - Vijayepur, District- Gopalganj
3. Nurain Sah @ Nurain Shah S/o Late Habib Sah @ Habib Shah R/o Village - Ahirauli Dubauli, Tola Takia P.S - Gopalpur, District- Gopalganj
4. Shameer Ali @ Shameer Sah @ Sameer Ali S/o Mubarak Sah @ Mubarak Shah R/o Village - Ahirauli Dubauli, Tola Takia, P.S - Gopalpur, District- Gopalganj
5. Sanwar Sah @ Sanwar Shah S/o Nurain Sah @ Nurain Shah R/o Village - Ahirauli Dubauli, Tola Takia, P.S - Gopalpur, District- Gopalganj

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar, Adv.
For the State	:	Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Gopalpur P.S. Case No. 140 of 2025 registered for the offences punishable under Sections 190, 191(2), 191(3), 121(2), 132, 109(1), 309(4) of B.N.S.

3. As per prosecution case, during course of vehicle checking a van was seen approaching and seeing the police team the said van began to flee away. It is alleged that during course



of chase, van was intercepted and at that moment several persons formed assembly and surrounded the police team and it is alleged that petitioners and other attacked the police team due to which informant sustained injury on different parts of the body. It is further alleged that other police officials also sustained injury in the said occurrence. It is further alleged that some of them snatched the official loaded pistol containing three live cartridges from the informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have no connection with the alleged occurrence. He further submits that petitioners being resident of close proximity to the alleged occurrence have been falsely implicated in the present case. Petitioners bear no criminal antecedent. Learned counsel further submits that on similar and identical allegation, co-accused Shahabuddin Dewan @ Shahabuddin Shah and others have already been granted anticipatory bail by co-ordinate Bench of this Court vide Cr. Misc. No. 53803 of 2025 and on the principle of parity, petitioners deserve bail. Similarly, co-accused Aaftab Dewan @ Aftab Dewan @ Aftab Sah has also been granted anticipatory bail by co-ordinate Bench of this Court vide Cr. Misc. No.



48438 of 2025. Learned counsel further submits that in the bail order of co-accused Aaftab Dewan @ Aftab Dewan @ Aftab Sah, it is mentioned that said revolver was recovered from the house of co-accused Anwar Sah and in this regard, Gopalpur P.S. Case No. 141 of 2025 dated 23.05.2025 was instituted and in the light of aforesaid facts and circumstances of the case, no case is made out against petitioner no. 3/ Nurain Sah @ Nurain Shah with regard to snatching of pistol and hence, petitioner no. 3 also deserves anticipatory bail.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that petitioners are named in the FIR and their participation in the alleged occurrence cannot be ruled out and hence, petitioners do not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioners, co-accused on similar and identical allegation has already been granted anticipatory bail, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing



bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gopalganj in connection with Gopalpur P.S. Case No. 140 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

shahzad/-

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

