

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51012 of 2025

Arising Out of PS. Case No.-648 Year-2024 Thana- RAMPUR District- Gaya

Daud Khan @ Md. Dawood Hassan Khan S/o Shamshul Hoda Khan @ Javed
Khan R/o White House, Road No. 3, P.S.- Rampur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Sr. Advocate Mr. Ram Pravesh Nath Tiwari, Advocate
For the Opposite Party/s	:	Mr. Madan Kumar, APP
For the Informant	:	Mr. Nafisuzzoha, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-08-2025 Heard Learned Senior Counsel for the petitioner,

Learned Counsel for the Informant 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 ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Rampur P.S. Case No. 648 of 2024, lodged on 16.12.2024, under Sections 126(2)/115(2)/109(1) /303 /352 / 351(2)/351(3) of the Bhartiya Nyay Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against the present petitioner alleging that when informant was going on duty then the present petitioner has stopped him, started



threatening, abuses and subsequently attacked by iron rod on the informant due to which injury has been caused. Subsequent allegation of snatching of silver chain and silver jewellery from his body. Subsequent allegation is that the petitioner has put pistol on his head and threatened for not filing the case, due to assault the informant has sustained injuries at several places.

4. Learned Senior Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned Senior Counsel submits that the genesis of the case lies in some other places. Counsel submits that the informant is an employee of the purchaser of petitioner's property through his brother. He submits that the owner of the informant and the brother of the petitioner are in connivance with each other and have fraudulently purchased the property of the petitioner also, which was mortgaged before the Punjab National Bank. Learned Senior Counsel further submits that petitioner is still in possession of the property and with a view to remove from his property the criminal case has been lodged, which are showing the antecedent of the petitioner in the present case. He submits that he is on bail in all cases. He further submits that save and except these cases, which have been filed either by his brother or purchaser of the house of the petitioner in which the



petitioner is residing, no other case is pending against the petitioner. He submits that the present case has also been transplanted with intention to put pressure on the petitioner to remove from his house.

5. Learned Counsel for the informant, on the other hand, vehemently opposes the prayer for bail and submits that there is direct allegation against the petitioner that he has assaulted the informant and due to which injury has been caused.

6. In response thereof, learned Senior Counsel for the petitioner submits that the said injury is simple in nature.

7. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that from the pleadings it transpires that the land dispute is going on between the brothers and the present case is the result of the same.

8. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below 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 Chief Judicial Magistrate, Gaya, in connection



with Rampur P.S. Case No.648 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

9. The Trial Court, at the time of accepting the bail bond of the petitioner, shall verify the petitioner’s criminal antecedent, and if it is found that the petitioner has suppressed any fact regarding his/her criminal antecedent, he/she shall not be released on bail.

(Dr. Anshuman, J)

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