

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55134 of 2025

Arising Out of PS. Case No.-57 Year-2025 Thana- MUSRIGHRARI District- Samastipur

1. Md. Sohail @ Md. Suhail Mahabub, S/o Md. Manjur R/o Vishambharpur Eloth, PS- Musrigharari, Samastipur, Bihar
2. Md. Ashraf @ Ashraf, S/o Md. Akhtar R/o Vishambharpur Eloth, PS- Musrigharari, Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-08-2025

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Musrighrari P.S. Case no. 57 of 2025 registered under sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, the informant states that while *pooja* ceremony was going on, on the occasion of the marriage of his niece, the four named accused persons including the two petitioners herein came and started to dance on the DJ and brandishing their pistol. It is further stated that with the assistance of the co-villagers, the pistol of petitioner no. 1 was snatched by the informant and others, however, the accused



persons including the petitioners herein managed to escape.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case for oblique reasons. Neither any occurrence as alleged in the FIR, has taken place nor any incriminating article was recovered from their possession. The petitioners were not caught at the place of occurrence. They have no criminal antecedent and undertake to cooperate in the investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioners in the F.I.R., the petitioners not having been arrested at the spot and specially their not having any antecedent, it is directed that the petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Musrigharari P.S. Case no. 57 of 2025 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to satisfaction of the learned Chief Judicial Magistrate, Samastipur.

7. It may be observed here that in case it is discovered



that the petitioners have criminal antecedent, the informant/prosecution will be at liberty to move this Court for cancellation of the bail granted to the petitioners.

(Partha Sarthy, J)

Sauravkrsinha/
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