

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55230 of 2025

Arising Out of PS. Case No.-130 Year-2025 Thana- ARARIA District- Araria

1. Mahfooz, aged about 34 years, (M), S/O Sayeed @ Saheed, Resident of Village- Dehti, Ward No. 06, Police Station- Palasi, District- Araria.
2. Soaib, aged about 35 years (M), S/O Jamil, Resident of Village- Dehti, Ward No. 06, Police Station- Palasi, District- Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party : Mrs. Renuka Ratnakar (App125)

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-09-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Araria P.S. Case No. 130 of 2025 dated 24.03.2025 registered for the offence punishable under Section 309(4) of the B.N.S., 2023. Later on, Sections 310(2), 317(3) of the B.N.S., 2023 and Sections 25(1-B)(a), 26 and 35 of the Arms Act were also added.

3. As per the prosecution case, while the informant was going to Purnea with the Tractor loaded with 160 sacks of paddy worth Rs. 1,34,400/-, some miscreants came on one black colour Alto and one white colour Scorpio and blocked the



informant's way at Rampur Kodarkatti Musahari on the point of pistol. They got the informant seated in his car and took away the informant's tractor. Thereafter, they dropped the informant near Kushiargao Park after snatching his mobile phone.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners are not named in the F.I.R. and the F.I.R. has been registered against unknown. It is submitted that no incriminating article has been recovered from the possession of the petitioners. The names of the petitioners have surfaced in the present case only on the basis of the confessional statement of the co-accused Sarfaraz which has got no evidentiary value in the eyes of law. It is further submitted that except the confessional statement of the co-accused Sarfaraz, there is nothing on record to suggest the implication of the petitioners in the present case. It is further submitted that the car, motorcycle, arms and ammunitions used in the alleged offence have been recovered from the possession of the co-accused persons and paddy has been recovered from the godown of one Ranjeet Sah and the tractor has been recovered from an abandoned place i.e., Manikpur Canal Road. The petitioners have no concern with the alleged offence. It is further



submitted that the other co-accused person, namely, Ravindra Kumar Sah, has already been granted regular bail by a Bench of this Court in Cr. Misc. No. 42692 of 2025 vide order dated 15.07.2025. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, the petitioners, above named, in the event of their arrest or surrender within a period of six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria in connection with Araria P.S. Case No. 130 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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