

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59437 of 2025

Arising Out of PS. Case No.-171 Year-2025 Thana- HUSSAINGANJ District- Siwan

Mumtaz Alam @ Barku Miya @ Mumtaz S/o Mansur Alam R/o Village- Darveshpur, P.S.- Hussainganj, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 60507 of 2025

Arising Out of PS. Case No.-171 Year-2025 Thana- HUSSAINGANJ District- Siwan

- 1. Anil Yadav S/O Sri Amika Yadav Resident of Village- Baghaoni, P.S.- Hussainganj, District- Siwan
- 2. Vickky Yadav @ Vikki Yadav S/O Hridya Yadav @ Hridaynand Yadav Resident of Village- Baghaoni, P.S.- Hussainganj, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 61154 of 2025

Arising Out of PS. Case No.-171 Year-2025 Thana- HUSSAINGANJ District- Siwan

Anwar Alam S/o Jafur Ahamad R/o Village- Asaon, P.S.- Andar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 59437 of 2025)
For the Petitioner/s : Mr. Arbind Kumar Singh, Advocate
For the State : Mr. Shailendra Kumar, APP
For the Informant : Mr. Arbind Kumar Sharma, Advocate
Mr. Ashok Kumar, Advocate
(In CRIMINAL MISCELLANEOUS No. 60507 of 2025)
For the Petitioner/s : Mr. Arbind Kumar Singh, Advocate
For the State : Mr. Shahabuddin Azeem @ S. Azeem, APP



For the Informant : Mr. Arbind Kumar Sharma, Advocate
Mr. Ashok Kumar, Advocate
(In CRIMINAL MISCELLANEOUS No. 61154 of 2025)
For the Petitioner/s : Mr. Arbind Kumar Singh, Advocate
For the State : Mr. Shahabuddin Azeem @ S. Azeem, APP
For the Informant : Mr. Arbind Kumar Sharma, Advocate
Mr. Ashok Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioners, learned APP
for the State and learned counsel for the Informant.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Hussainganj P.S. Case No.-171 of 2025, dated 16.05.2025, registered for the offences punishable under Sections 191(3), 191(2), 190, 126(2), 115(2), 109, 352, 351(2) of B.N.S., 2023 and Section 27 of the Arms Act.

3. As per allegation, the accused persons, including the petitioners, came to the house of the informant with fire arms and did continuous firing and extended threat to her.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that as per allegation, no offence under Section 109 B.N.S. or 307 IPC is made out, because there is no allegation that the petitioners have attempted to kill the informant. He further submits that other offences are minor in nature.



5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner/Mumtaz Alam @ Barku Miya @ Mumtaz has three criminal antecedents and the petitioner/Vickky Yadav @ Vikki Yadav has one criminal antecedents, whereas the petitioners, Anil Yadav and Anwar Alam have no criminal antecedents.

7. Learned APP for the State and learned counsel for the Informant vehemently oppose the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of concerned Court below, in connection with Hussainganj P.S. Case No.-171 of 2025, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the



following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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