

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56896 of 2025

Arising Out of PS. Case No.-152 Year-2025 Thana- BARAULI District- Gopalganj

1. Parvej Alam @ Pravej Alam S/o Doadin Hussain @ Aamil (Amle) Hussain @ Doadin Ansari R/o Village- Bagheji, PS- Barauli, District- Gopalganj
2. Sagir Alam S/o Amle Hussain R/o Village- Bagheji, PS- Barauli, District- Gopalganj
3. Aashre Alam @ Aashre Hussain S/o Late Mahammadjan Miya R/o Village- Bagheji, PS- Barauli, District- Gopalganj
4. Janab Hussain @ Janab Husen S/o Allauddin R/o Village- Bagheji, PS- Barauli, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-08-2025 Heard learned Counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Barauli P.S. Case No. 152 of 2025 for the offence registered under sections 126(2), 115(2), 118(1), 117(2), 109(1), 303(2), 351(2) and 351(3)/3(5) of the BNS, 2023 lodged on 26.05.2025 by the informant, Jaglal Singh.

3. As per the prosecution story, the informant alleged that due to marriage in the family, some ladies were participating in the *Matkore* ceremony when the petitioner no. 1, Parvej Alam and also another accused, Aftab Alam tried to outrage their



modesty which was protested.

4. Infuriated, when Chandan Kumar was moving on motorcycle to purchase marriage ceremony goods, the allegation is that the petitioners herein armed variously, surrounded and assaulted Chandan Kumar while Aamale Hussain threw him on the ground, the others assaulted causing injuries. Allegation of taking out the mobile and cash amount is/are also attributed to Aamale Hussain. The villagers came and snatched the tangi from the accused, Aftab. The injured thereafter was shifted to Primary Health Centre and then to Sadar Hospital. This led to the FIR.

5. Learned Counsel for the petitioners submit that a perusal of the FIR would show that main role has been attributed to Parvej Alam and Aftab Alam who tried to outrage the modesty which ultimately led to the present case. Further allegation is against Aamale Hussain of playing a role in assault and taking away the mobile as also the cash amount. Although Aftab was carrying *tangi*, no role has been attributed. He, in any case, is not before this Court.

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that on a minor issue which was unwarranted, the present incident took place.

7. It is really unfortunate that the accused persons unnecessarily poked their nose in a marriage ceremony and



thereafter, resorted to assault. The creator of the entire story is Parvej Alam (petitioner no. 1), in that background, the anticipatory bail application of Parvej Alam @ Pravej Alam stands rejected.

8. So for as the petitioner nos. 2, 3 and 4 are concerned, though they are incorporated in the FIR, no role has been attributed to them, Aamale Hussain is not before this Court, in that background, this Court is inclined to grant them the anticipatory bail with conditions.

9. Let the petitioner nos. 2, 3, and 4 (Sagir Alam, Aashre Alam and Janab Hussain) in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gopalganj in connection with Barauli P.S. Case No. 152 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner nos. 2, 3, and 4 (Sagir Alam, Aashre Alam and Janab Hussain), who shall provide official document to show his *bona fide*;

(ii) the petitioner nos. 2, 3, and 4 (Sagir Alam, Aashre Alam and Janab Hussain) shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner nos. 2, 3, and 4 (Sagir Alam, Aashre Alam and Janab Hussain) shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner nos. 2, 3, and 4 (Sagir Alam, Aashre Alam and Janab Hussain) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner nos. 2, 3, and 4 (Sagir Alam, Aashre Alam and Janab Hussain) shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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