

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61043 of 2025

Arising Out of PS. Case No.-892 Year-2025 Thana- PHULWARISHARIF District- Patna

1. Md. Arbaj @ Mahtab @ Arbaj S/o Md. Sharif R/o vill - Alampur Gonpura, P.S.- Phulwari Sharif, Distt.- Patna
2. Md. Salman @ Salman S/o Md. Sharif R/o vill - Alampur Gonpura, P.S.- Phulwari Sharif, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Ms.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-09-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Phulwarisharif Police Station Case No. 892 of 2025, dated 03.06.2025, disclosing offences punishable under Sections 126 (2)/115 (2)/118 (1)/109/303 (2)/352/351 (2)/ 351 (3)/3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that on 01.06.2025, at about 6 PM, while the informant, namely, Ved Kumar and Manish Kumar, were playing cricket, the petitioners, along with 4-6 other co-accused persons, came there, abused them, snatched gold chain



and Rs. 2200/- in cash from them and assaulted them, due to which they sustained injuries in their heads.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have not committed any offence in the manner alleged. He further submits that the occurrence has taken place on a trivial issue during a cricket match between the boys of two group. He further submits that the prosecution has failed to produce any injury report before the learned District Court, which would be evident from the impugned order itself, in which there is no reference of any injury.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration nature of allegation and the fact that the occurrence took place on a trivial issue during a cricket match and no injury has been brought on record by the prosecution, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each



with two sureties of the like amount each to the satisfaction of learned 4th Additional Chief Judicial Magistrate, Patna, in connection with Phulwarisharif Police Station Case No. 892 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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