

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62690 of 2025

Arising Out of PS. Case No.-308 Year-2024 Thana- AANDAR District- Siwan

1. Juber Hussain S/o- Khadim Hussain Village- Firzpur PS- Andar Distt- Siwan
2. Aamir Mansuri S/o- Jahir Mansuri Village- Firzpur PS- Andar Distt- Siwan
3. Vikki Sheikh S/o- Phulmohamad Village- Firzpur PS- Andar Distt- Siwan
4. Saddam @ Anu S/o- Phulmohamad Village- Firzpur PS- Andar Distt- Siwan
5. Akram Hussain S/o- Ali Hussain Village- Firzpur PS- Andar Distt- Siwan
6. Md. Rajak S/o- Asgar Sheikh Village- Firzpur PS- Andar Distt- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Kant, Adv.
For the Opposite Party/s : Ms.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 15-11-2025 Heard the parties.

2. This application for grant of anticipatory bail arises out of Andar Police Station Case No. 308 of 2024, disclosing the offence under Sections 126(2), 115(2), 109, 303(2), 324(4), 352, 351(2) & 3(5) of the BNS, 2023 lodged on 24.11.2024 by the informant, Zakir Ansari.

3. The allegation against the petitioners, as per the First Information Report, is that they have assaulted the informant and snatched Rs. 2000/- from his pocket. Accordingly, the FIR.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in this case and on the basis of old enmity between the parties as they are co-villagers. He further submits that from the FIR itself, it is evident that the allegations against these petitioners are general and omnibus in nature while specific allegation of overt-act is against one Dilnawaz Sheikh who is not the petitioner here. Lastly, it has been submitted that there is a counter version to the said occurrence and the mother of petitioner no.3 and 4 has also registered an FIR bearing Andar PS Case No. 24.11.2024 on the same day for the same occurrence and almost under same sections of the BNS.

5. Learned APP opposes the prayer for anticipatory bail submitting that petitioners no. 3, 4 and 6 have got good number of criminal antecedents in their credit.

6. After having heard learned counsel for the parties and taking into consideration the fact that the direct allegation of overt-act is against one Dilnawaz Sheikh who is not the petitioner in this case, there is general and omnibus allegation against these petitioners and there is case and counter case between the parties, this Court is inclined to grant the petitioners the privilege of anticipatory bail.

7. This application for anticipatory bail is,



accordingly, allowed.

8. Let the petitioners, named above, in the event of their arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Siwan, in connection with aforesaid Police Station Case subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023, as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners 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 petitioners 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

(iv) the petitioners shall desist from committing any criminal offence



again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Ajit Kumar, J)

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