

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60075 of 2025

Arising Out of PS. Case No.-140 Year-2025 Thana- GOPALPUR District- Gopalganj

-
1. Irsad Dewan @ Irshad Ali @ Ersad Ali S/O Nijamuddin Dewan @ Nejamuddin Shah Village- Ahirauli Dubauli, Tola Takiya, PS- Gopalpur, District- Gopalganj
 2. Sakir Dewan @ Sakir Ali S/O Irsad Dewan @ Irshad Ali @ Ersad Ali Village- Ahirauli Dubauli, Tola Takiya, PS- Gopalpur, District- Gopalganj
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Adv.
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-09-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 190, 191(2), 191(3), 121(2), 132, 109(1) and 309(4) of the BNS, 2023.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of one case and petitioner no. 2 has antecedent of four cases and the informant alleges that on information, the informant along with police force, came to the place of occurrence for seizing a van carrying liquor, further at the place of occurrence 8 vehicles were found parked, in the meantime 60 named and 50-60 unknown accused persons came



variously armed and attacked the police force with sword, axes, stick and even pelted stones, further snatched 9 M.M. pistol of the SHO, on account of assault, police personnel suffered injuries.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant based on general and omnibus allegation. It is next submitted that Gopalpur P.S. Case No. 141 of 2025 was instituted by the police with an allegation that the pistol of the SHO was snatched. It is submitted that pistol was recovered from the house of Anwar Sah. It is next submitted that similarly situated co-accused moved before this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 48438 of 2025 and the same was allowed by an order dated 06.08.2025 passed by a learned Co-ordinate Bench. The learned counsel, thus, based on parity, seeks anticipatory bail. It is also submitted that petitioners will not abscond rather will co-operate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the



event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Gopalpur P.S. Case No. 140 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioners despite giving assurance to this Court are not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

