

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72204 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- Jagdishpur District- West Champaran

1. Md. Sahil Alam @ Sahil Alam S/o Naim Mian @ Md. Naim Alam R/o Village- Banhaura Sota Tola, P.S.- Jagdishpur, District- West Champaran
2. Reyaj Alam @ Md. Reyaj S/o Rahamtullah Ansari R/o Village- Banhaura Sota Tola, P.S.- Jagdishpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Raj

For the Opposite Party/s : Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-11-2025 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), 126(2), 115(2), 109, 121(1), 132, 263, 352 of the B.N.S. and Section 45 of the Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and a young boys aged about 24 and 22 years. It is next submitted that in sum and substance the allegation as alleged in the FIR is that on 06.05.2025, the informant got secret information that some



accused in a drunken condition are creating ruckus in a marriage, according the informant along with the police force came to the place of occurrence and saw 10-12 accused persons creating ruckus and on seeing the police force, they started fleeing with their motorcycles, when two accused were arrested, who disclosed their name as petitioners and they were found in an intoxicated condition, when 8-10 accused came and started abusing the force and acted inappropriately with the informant and taking advantage of the same, the apprehended accused fled from the place of occurrence.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that petitioners had gone to attend a marriage and they had already left when the occurrence is alleged to have taken place. It is next submitted that informant does not recognize the petitioners as such it appears that persons who were arrested disclosed their name as of the petitioners and then fled when other accused came to save them. It is submitted that petitioners will not abscond rather will cooperate 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Jagdishpur P.S. Case No.80/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

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.

(Satyavrat Verma, J)

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