

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87699 of 2024

Arising Out of PS. Case No.-756 Year-2023 Thana- GARKHA District- Saran

1. Pappu Ansari Son of Kalamuddin Ansari Resident of Village - Wajitpur, Police Station - Garkha, District - Saran
2. Ajit Mahto @ Ajit Kumar Son of Mukhlal Mahton Resident of Village - Mithepur Bintoli, P.S. - Garkha, District - Saran
3. Najeer Miya @ Najeer Hussain Son of Samsudin Miya Resident of Village - Sirsha, Police Station - Bheldi, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Govind Mishra, Advocate
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-04-2025 Heard Mr. Gopal Govind Mishra, learned counsel for the petitioners and Mr. Awadhesh Kumar Singh, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Garkha P.S. Case No. 756 of 2023, F.I.R. dated 23.12.2023 registered for the offences punishable under Sections 436, 427, 429 of the Indian Penal Code.

3. As per the prosecution, the F.I.R. has been lodged against 9 named accused persons including the petitioners against whom there is allegation that they all in connivance with each other have poured petrol on the house of the informant.



4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that it appears from the F.I.R. itself that the petitioners have been falsely implicated in the present case due to previous enmity and apart from that from perusal of the F.I.R. it appears that there is no specific allegation against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners. He further submits that co-accused persons namely Appu Ansari @ Toshif Ansari and Kallu Ansari @ Allau Ansari have been granted the privilege of anticipatory bail vide order dated 22.03.2025 passed in Cr. Misc. No. 67950 of 2024 by a Coordinate Bench of this Hon'ble Court.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedents and there is no specific allegation in the F.I.R. rather there is general and omnibus allegation against these petitioners as well as co-accused persons have been granted the privilege of anticipatory bail by a Coordinate Bench of this Court, let the petitioners, above named, in the event of their arrest or surrender before the



court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Chapra at Saran in connection with Garkha P.S. Case No. 756 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for



cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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