

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80936 of 2025

Arising Out of PS. Case No.-563 Year-2024 Thana- RAJAOLI District- Nawada

Shamshad Miyan @ Shamshad Anasri S/O Mansur Ansari R/O Village-
Jhalakdiha, Ward no. 1 P.S.- Rajauli, Dist.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 81244 of 2025

Arising Out of PS. Case No.-563 Year-2024 Thana- RAJAOLI District- Nawada

Alim Ansari @ Md. Alim @ Mohammad Alim S/O Mohammad Kyum @
Qayum Ansari R/O Vill.- Karma, P.S.- Koderma, District- Koderma,
Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 80936 of 2025)
For the Petitioner/s : Mr. Pramod Kumar Verma
For the State : Mr. Sanjay Kumar Pandey
(In CRIMINAL MISCELLANEOUS No. 81244 of 2025)
For the Petitioner/s : Mr. Hansraj
For the State : Mr. Bharat Bhushan

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 21-11-2025 Both these cases arise out of the same case i.e. Rajauli

P.S. Case No. 563 of 2024 and accordingly, they are being heard

together and disposed of with this common order.

2. Heard learned counsel for the petitioners and

learned APP for the State.



3. The petitioners are apprehending their arrest in Rajauli P.S. Case No. 563 of 2024 registered under Sections 303(2), 105, 111 of the BNS and Sections 3, 4 and 5 of the Explosive Substance Act, 1908.

4. As per allegation, the petitioners along with other co-accused persons are said to have involved in illegal mining of Mica by exploding rocks due to which one, Basudeo Bhuiya suffered injuries and succumbed to death.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in the present case. They are the persons of clean antecedents. It has further been submitted that the petitioners were not arrested at the spot and nothing has been recovered from their conscious possession. It has further been submitted that similarly situated co-accused persons, namely, Rahul Turiya and Mahendra Singh have been granted privilege of anticipatory bail by this Court vide order dated 22.08.2025 and 19.09.2025 and the case of these petitioners stands of similar footing as in the case of above mentioned co-accused persons.

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

7. Considering the aforesaid facts and circumstances, let



the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of four weeks from today, be released on anticipatory 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 Chief Judicial Magistrate, Nawada in connection with Rajauli P.S. Case No. 563 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./ 482(2) of the BNSS, 2023.

8. The petitioners shall remain physically present on each and every date before the learned Court below till framing of charges.

9. After accepting the bail bonds, the learned Court below shall verify the criminal antecedents of the petitioners and if it is found that they are involved in any case other than the present one, their bail bonds shall be cancelled.

(Nawneet Kumar Pandey, J)

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