

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82762 of 2025

Arising Out of PS. Case No.-150 Year-2025 Thana- LODIPUR District- Bhagalpur

1. Najrul S/o Md. Kalim R/o Village- Ustu, PS- Lodipur, Distt- Bhagalpur
2. Md. Khalid S/o Md. Habib R/o Village- Ustu, PS- Lodipur, Distt- Bhagalpur
3. Md. Jahid S/o Md. Habib R/o Village- Ustu, PS- Lodipur, Distt- Bhagalpur
4. Md. Sajad @ Md. Sahjad @ Sajad S/o Md. Wahab R/o Village- Garhotiya, PS- Lodipur, Distt- Bhagalpur
5. Md. Siddu @ Md. Suddu @ Md. Samsuddin S/o Md. Sadruddin R/o Village- Ustu, PS- Lodipur, Distt- Bhagalpur
6. Md. Sabran S/o Md. Anbar R/o Village- Ustu, PS- Lodipur, Distt- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-12-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Lodipur P.S. Case No. 150 of 2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109(1), 303(2), 351(2), 352 of BNS and Section 27 of the Arms Act.

3. As per prosecution case, informant and Md. Makin were walking in morning and petitioners and others armed with weapon were sitting in ambush. It is alleged that co-



accused Md. Affan is said to have assaulted the informant upon his head by means of sword as a result of which informant sustained head injury. It is further alleged that co-accused Md. Saffan is said to have assaulted Md. Makin upon his head by means of katta as a result of which Md. Makin sustained head injury. It is further alleged that co-accused Md. Abdul assaulted Md. Makin upon his temple by means of rod as a result of which he sustained severe injury. It is further alleged that co-accused Md. Kaisar snatched silver chain weighing 2 bhar from the neck of Md. Makin. Meanwhile, petitioner no. 5 snatched silver chain weighing 4 bhar from the neck of informant and petitioner no. 1 snatched Rs. 3,500/- from the pocket of the informant. It is further alleged that when the informant and Md. Makin started fleeing away, co-accused Md. Saffan and petitioner no. 4 fired upon them, however, they escaped unhurt. It is further alleged that co-accused Md. Sadruddin, petitioner nos. 3, 2 and 6 chased the informant and Md. Makin and surrounded them and assaulted them by means of fist and leg as a result of which informant and Md. Makin became unconscious.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this



case. He further submits that there is no specific allegation against the petitioners rather the allegation is general and omnibus in nature. He further submits that on similar and identical allegation, co-accused Md. Affan @ Aryan and Md. Saffan have already been granted anticipatory bail by this Court vide Cr. Misc. No. 82752 of 2025 and on the principle of parity, petitioners also deserve anticipatory bail. Petitioners bear no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners by submitting that petitioners are FIR named accused persons and they cannot escape from the allegation made in FIR. Hence, petitioners do not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioners, on similar and identical allegation, co-accused have already been granted anticipatory bail by this Court, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 bond of Rs. 10,000/- (rupees



ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Division Judicial Magistrate, Bhagalpur in connection with Lodipur P.S. Case No. 150 of 2025, subject to the conditions as laid down under Section 482 (2) of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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