

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84301 of 2025**

Arising Out of PS. Case No.-59 Year-2025 Thana- Kachna District- Katihar

1. Md. Nahid @ Md. Ashraf Son of Ghaguwa Resident of Village- Jokalbari, P S -Kachna District- Katihar
2. Saddam @ Md. Saddam Hussain Son of Behanga Resident of Village- Jokalbari, P S -Kachna District- Katihar
3. Sharif @ Md. Sharif son of Akhtar Resident of Village- Jokalbari, P S -Kachna District- Katihar
4. Dildar Hussain @ Md. Dildar son of Layeeb Resident of Village- Modipokhar, P S -Kachna District- Katihar
5. Farmoz @ Paktu @ Md. Farmuj son of Kulha Resident of Village- Guwagaon, P S -Kachna District- Katihar
6. Munna @ Md. Munna Son of Jamshed Ali Resident of Village- Baluhaat, P S -Kachna District- Katihar
7. Md. Sattar @ Md. Satar Son of Kalu Resident of Village- Guruwa, P S -Kachna District- Katihar
8. Jay Kishan Poddar Son of late Bindeshwari Resident of Village- Kachna, P S -Kachna District- Katihar
9. Kuddu @ Kuddus Ali @ Kuddus Son of Teli Resident of Village- Madarsa Tola, P S -Kachna District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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|--------------------------|---|--------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Md. Tahmeed Helal, Adv.<br>Mr. Fakhra Tanaz Akhter, Adv. |
| For the Opposite Party/s | : | Mr.Harendra Prasad                                           |

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      23-12-2025                      Heard Mr. Md. Tahmeed Helal, learned Advocate for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Kachna P.S. Case No. 59 of 2025 registered for



the offences punishable under Sections 191(2), 190, 132, 115(2), 109, 49, 54, 324(4), 352, 351(2), (3) of the Bharatiya Nyaya Sanhita, 2023.

3. The allegation against the petitioners is of creating ruckus in the premise of the police station and pressurizing the police personnel to release one Md. Sultan, who was taken into custody in connection with Kachna P.S. Case No. 58 of 2025. The petitioners along with other hooligans snatched mobile of the police personnel, besides the allegation of ransacking the articles and causing assault.

4. Learned Advocate for the petitioners submitted that besides the omnibus nature of allegation against 25 named accused persons, including the petitioners, as well as 50-60 unknown persons, there is no specific accusation against the petitioners of causing any overt act. Only on account of the fact that the petitioners are the local residents and on *hulla* they reached to the police station and finding their presence nearby the police station, implicated the name of the petitioners in this case. It is further contended that be that as it may in the said occurrence none has sustained any injury and the petitioners undertake that they will fully cooperate in the proceeding of the court. Taking note of the aforesaid facts, other co-accused persons have been



allowed the privilege of anticipatory bail by this Court in Cr. Misc. No. 82636 of 2025 and Cr. Misc. No. 85366 of 2025 vide order dated 17.12.2025. Petitioner No. 3 is carrying one criminal antecedent over his head, however he is on bail in the said case and rest of the petitioners bear fair antecedent.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that active participation of the petitioners is writ large, as they have created ruckus in the police station premise and destroyed various articles and also caused obstruction in discharge of the official duty and, as such, the petitioners do not deserve for anticipatory bail.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the omnibus nature of allegation, coupled with the fact that the case of the petitioners based on parity with those who have been accorded the privilege of anticipatory bail, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on 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 Additional Sessions Judge-II, Katihar in connection with Kachna P.S. Case No. 59 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioners.

**(Harish Kumar, J)**

Anjani/-

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