

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2886 of 2026

Arising Out of PS. Case No.-326 Year-2025 Thana- ROSERA District- Samastipur

1. Md. Azad @ Md. Raja S/o Md. Imam @ Md. Imaman R/o Village - Hanuman Nagar, P.S - Rosera, District - Samatipur
2. Md. Jamir @ Raja S/o Md. Sultan R/o Village - Hanuman Nagar, P.S - Rosera, District - Samatipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Kumar, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 28-01-2026 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 126(2), 115(2), 329(3), 109 and 3(5) of the B.N.S. and Section 25(1-B) (a), 27 and 35 of the Arms Act.

3. The allegation in the First Information report is that the petitioners are members of an unlawful mob which resorted to firing upon the informant and his son which they escaped.

4. Learned counsel for the petitioners submits that from bare perusal of the First Information Report itself it would



be evident that there are general and omnibus allegations against seven named accused and 8-10 unknown persons of having formed an unlawful assembly, however the specific allegation of resorting to firing is against co-accused Ankit Yadav, Radhe Das and Mukesh Das and three persons were even apprehended by the local villagers. So far as the petitioners are concerned, there is no specific allegation of any kind of assault or opening of firing. Moreover, in the entire transaction no person has been injured and as a matter of fact, the seized motorcycle from the place of occurrence also does not belong to the present petitioners.

5. Learned APP for the State opposed the prayer for anticipatory bail on the basis of allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances and considering the general and omnibus nature of allegations against the petitioners with the thrust of allegation being on co-accused persons, let the above named petitioners, who have no criminal antecedent, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two



sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Rosera P.S. Case No. 326 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

(Soni Shrivastava, J)

anand/-

U		T	
---	--	---	--

