

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2845 of 2026

Arising Out of PS. Case No.-447 Year-2024 Thana- AMAUR District- Purnia

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1. Md Ayaj @ Eiyaz S/O Late Rafeeqe Resident of Vill.- Bangra, P.S-
Amour,Dist- Purnea
 2. Md. Kaiyyum @ Kaiyum S/O Late Gafur Resident of Vill.- Bangra, P.S-
Amour,Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-02-2026 At the outset, learned Advocate for the petitioners submits that during the pendency of the present application, the petitioner No. 2 got arrested and, as such, he seeks permission to withdraw the application on his behalf.

2. Heard the parties.

3. The petitioner No. 1 apprehends his arrest in connection with Amour P.S. Case No. 447 of 2024, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 109, 303(2), 76, 352, 351(2) and 3(5) of the BNS.

4. On the fateful day, all the FIR named accused persons entered in the maize field of the informant and started



cutting the crops. When the same was protested, the accused persons, including the petitioners, brutally assaulted the informant and others. There is further allegation of snatching of valuables.

5. Learned Advocate for the petitioner No. 1 submitted that the entire case falls to the ground for the simple reason that the police during course of investigation found the case not true against the petitioners and accordingly submitted final report; copy of which is placed on record as Annexure-2 to the bail application. However differing with the final report, the learned jurisdictional court has taken cognizance for the offence as alleged in the FIR, hence necessity of the present application for grant of anticipatory bail is the contention of the learned Advocate for the petitioners. Petitioner No. 1 bears fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court.

6. On the other hand, learned Advocate for the State vehemently opposed the bail application.

7. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the fact that the police after investigation has not found the case true against the petitioner and he has not been sent up for



trial; however differing with the final report, cognizance has been taken, besides the fair antecedent of petitioner No. 1, let the petitioner No. 1 be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Purnea in connection with Amour P.S. Case No. 447 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner No. 1.

(Harish Kumar, J)

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