

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2582 of 2026

Arising Out of PS. Case No.-263 Year-2025 Thana- JANTA BAZAR District- Saran

1. Nabab Miyan @ Mohammad Irfan @ Nabab Miyan Khan S/o Amirul Khan @ Md. Isarafil Khan R/o Village - Banpura, P.S - Janta Bazar, District - Saran
2. Jainara Khatun @ Jahan Aara Khatun W/o Amirul Khan @ Md. Isarafil Khan R/o Village - Banpura, P.S - Janta Bazar, District - Saran
3. Salaudin @ Salauddin S/o Nathuni Khan R/o Village - Banpura, P.S - Janta Bazar, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Abhigyan, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Janta Bazar P.S. Case No. 263 of 2025 registered for the offences under Sections 126(2), 115(2), 109, 76, 352, 351(2), 303(2) and 3(5) of the B.N.S.

3. As per the F.I.R, the allegation against the petitioners is that they assaulted the informant, namely, Rani Khatun snatched away her gold necklace and also disrobed her.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case and



that no such occurrence as alleged has occurred. It has been submitted that the present case is the counterblast of the case lodged by the petitioner's side, being Janta Bazar P.S. Case No. 262 of 2025, which was instituted against the husband of Rani Khatun, the informant of the present case. It has next been submitted that both the sides sustained injuries and that one of the injuries, which is said to be grievous in nature was with regard to a shoulder injury, however, it would be evident from the allegations made in the F.I.R, no allegation has been made with regard to any assault on the shoulder of the informant. It is further evident that the head injury has been found to be simple in nature while the allegation of snatching of the gold necklace, etc. has been super imposed only to make out a case of snatching against the petitioners. It has lastly been submitted that the petitioners carry clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(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 Janta Bazar P.S. Case No. 263 of 2025 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioners shall be their close relative.
- (ii) The petitioners shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.
- (iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court



below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the present application stands disposed of.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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