

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3017 of 2026

Arising Out of PS. Case No.-116 Year-2025 Thana- THAWE District- Gopalganj

Safi Alam @ Sheikh Safi Alam Son of Anwarul Haque Resident of Village-
Miralipur, P.S.- Thawe, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

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

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 221, 223, 255, 263, 126(2), 115(2), 121(1), 132, 324(4), 352, 351(2) and 3(5) of the B.N.S.

3. The allegation in the First Information report is that the police personnel had come to arrest the accused persons against whom warrant had been issued and they had apprehended one Lucky and this petitioner from their house but in the meantime due to obstruction caused by the family members, both the accused persons were made to escape.

4. Learned counsel for the petitioner submits at the outset that the present F.I.R. has been lodged maliciously



against the petitioner and other accused persons in view of the fact that despite the fact that the police team had left for raid on 02.06.2025 at 10:10 p.m., but the time of lodging of the First Information Report is 02.06.2025 at 4:10 p.m. which seems to be impossible. It is further submitted that the F.I.R. is also vague to the extent that it has not been stated as to in which case the warrants have been issued against the petitioner with regard to which they had come to arrest him rather it is submitted that the present petitioner is accused in two cases being Thawe P.S. Case No.215 of 2020 and Complaint Case No.1508 of 2024 and in both the cases the petitioner is already on bail, as such, there is no question of the warrants being issued against the petitioner. It is also a fact that the police maliciously raided the house of the petitioner at midnight in a bailable case after five days of receiving information that the petitioner was at his house.

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 also considering the vagueness of the First Information Report, coupled with the fact that the petitioner is already on bail in other two cases pending against him, let the



above named petitioner, be released on bail, in the event of his 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) 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 Thawe P.S. Case No. 116 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, subject to further condition(s):

i. The petitioner shall co-operate with the investigation/trial, if not already concluded and make himself available as and when so required, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Soni Shrivastava, J)

anand/-

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