

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5190 of 2026

Arising Out of PS. Case No.-48 Year-2024 Thana- AKBARNAGAR District- Bhagalpur

1. Irshad @ Md. Irshad Alam Son of Md. Salimuddin Resident of Village - Rasidpur, P.S. - Akbarnagar, District - Bhagalpur.
2. Naushad @ Md. Naushad Alam Son of Md. Salimuddin Resident of Village - Rasidpur, P.S. - Akbarnagar, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Md. Najmul Hodda, Advocate
For the State	:	Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-02-2026 Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 342, 323, 307, 353 , 504 and 506 of the Indian Penal Code.

3. As per prosecution case, informant, namely Nandkishor Yadav, alleged that he got an information on 02.05.2024 that a vehicle dashed a person due to which he died on the spot and in agitation, villagers were protesting and assaulting the conductor and driver of the vehicle. Upon receiving such information, informant, along with other police personnel, went there and tried to pacify the matter, then the



accused persons became violent and abused and scuffled police officers. It is further alleged that after 2-3 hours, jam was cleared.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. The F.I.R. was lodged against 10 named accused persons and 20 to 25 unknown persons. Allegation is general and omnibus and no specific overt act has been attributed against these petitioners. As a matter of fact, petitioners are co-villagers of late Nurshid Alam, who met with an accident and died on spot and when the petitioners came to know about the said accident, they reached on the spot and were engaged in getting the deceased to the hospital but on the way, he died, for which on day prior to institution of the present case, Akbarnagar P.S. Case No. 46 of 2024 was lodged. It is further submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 14.10.2025 passed in *Cr. Misc. No. 72145 of 2025*.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.



6. Considering the facts and circumstances of the case, general and omnibus nature of accusation and claim based on parity, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Akbarnagar P.S. Case No. 48 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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