

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9479 of 2026

Arising Out of PS. Case No.-251 Year-2023 Thana- CHANDAUTI District- Gaya

1. Md. Jamil @ Md. Zamil Alam S/O Md. Ekbal @ Md. Iqbal Ansari Resident of Village- Kesru, P.S.- Chandauti, District- Gaya
2. Md. Jawed @ Sufyan @ Md. Sufiyan Son of Md. Tahir Hussain Resident of Village- Kesru, P.S.- Chandauti, District- Gaya
3. Md. Reyan @ Md. Rehan Ansari Son of Md. Tahir Hussain Resident of Village- Kesru, P.S.- Chandauti, District- Gaya
4. Md. Faiz @ Md. Faiz Alam Son of Md. Istiyaque @ Md. Ishteyaque Ansari Resident of Village- Kesru, P.S.- Chandauti, District- Gaya
5. Md. Sabir @ Md. Savir Alam Son of Md. Mustakim Resident of Village- Kesru, P.S.- Chandauti, District- Gaya
6. Md. Aamir Son of Md. Mustakim Resident of Village- Kesru, P.S.- Chandauti, District- Gaya
7. Md. Samir @ Samir Raza Son of Md. Muslim @ Md. Mosalim Ansari Resident of Village- Kesru, P.S.- Chandauti, District- Gaya
8. Md. Meraj @ Merajuddin @ Md. Merajuddin Son of Md. Serajuddin Resident of Village- Kesru, P.S.- Chandauti, District- Gaya
9. Md. Parwez @ Md. Parwez Akhtar Son of Abdul Aziz Resident of Village- Kesru, P.S.- Chandauti, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Ejaz Aamir, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

3 22-04-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The Petitioners are apprehending their arrest in
connection with Chandauti P.S. Case No. 251 of 2023 registered
for the offences punishable under Sections 147, 148, 341, 323,



324, 379, 354, 504 of the I.P.C.

3. As per the prosecution case, on 23.04.2023 at about 6:00 P.M., the daughter of the informant was sitting at the door of the house. In the meantime, the accused persons, including the petitioners, variously armed with lathis and other deadly weapons, arrived there and, in an intoxicated state, started teasing the daughter of the informant. When she objected, the accused persons began assaulting the informant and his family members. It has been specifically alleged that petitioner no. 1, Md. Jamil, assaulted the informant on the head with a sword. It is further alleged that petitioner nos. 1 and 4, namely Md. Jamil and Md. Faiz, caught hold of the daughter of the informant and snatched her gold chain. Petitioner nos. 2 and 3, namely Md. Jawed and Md. Reyan, are alleged to have taken gold earrings from the aunt of the informant, while petitioner nos. 5 and 8, namely Md. Sabir and Md. Meraj, allegedly took Rs. 20,000/- from the pocket of the informant.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It has been further submitted that, so far as the allegation of assault is concerned, there are general and omnibus allegations against petitioner nos. 2 to 9, whereas a



specific allegation of assault has been made only against petitioner no. 1, Md. Jamil, who is alleged to have assaulted the informant. Learned counsel for the petitioners has drawn the attention of this Court to Annexure-2 as well as the impugned order, wherein the injury sustained by the informant has been opined to be simple. Although there is a single grievous injury reported on injured Md. Hamim, no specific allegation has been attributed to any of the petitioners in that regard. The petitioners co-operated in the investigation. The charge sheet has not been submitted under Section 307 of the IPC rather under Section 308 of the IPC along with other ancillary sections, and after taking cognizance by the court below, the petitioners apprehend their arrest. The allegation of theft with respect to some of the petitioners are ornamental in nature. Lastly, it has been submitted that the petitioners have clean criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners and has submitted that the petitioners are actively participated in the said occurrence.

6. Considering the aforesaid facts and circumstances of the case and the materials available on record, let the above



named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail 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 concerned, Gaya, in connection with Chandauti P.S. Case No. 251 of 2023, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.)

7. This application stands allowed.

(Praveen Kumar, J)

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