

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9678 of 2026

Arising Out of PS. Case No.-112 Year-2025 Thana- CHANDAUTI District- Gaya

1. Md. Arif @ Arif, S/o- Md. Perwej @ Md. Paravej @ Paravej @ Pravez Mohalla- Faiz Colony new Aliganj PS- Chandauti District- Gaya
2. Md. Paravej @ Md. Parvez @ Paravej @ Pravez, S/o- Md. Reyajaudin @ Md. Reyajuddin @ Reyajuddin Mohalla- Faiz Colony new Aliganj PS- Chandauti District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakib Ayaz, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 24-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Chandauti P.S. Case No.112 of 2025 registered for the offences under Sections 127(1), 115(2), 118(1), 117(2), 109 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case is to the effect that the informant's grandson and son of the petitioner, Md. Parvej entered into a quarrel and when the informant went to save his grandson, the accused Prince, also known as Jeeshan, attacked on his neck with a knife, and thereafter the other accused persons attacked with knife and iron rod causing injury on his



neck.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated. It has further been submitted that the specific allegation is on Md. Jeeshan to have attacked with a knife, while there is an allegation of assault by the petitioners with knife and rod, however, from the perusal of the injury report, which has been referred to in the impugned order, it would be evident that there is only one injury found on Md. Danish that too was caused by sharp object. It has next been submitted that since there is only one injury by a sharp object and there is a specific allegation on Md. Jeeshan of having attacked on the neck with a knife, the allegations against the petitioner cannot be said to be true. It has next been submitted that the petitioner no.2 is the brother-in-law of the informant and on account of some family dispute, this false and concocted case has been lodged. It has lastly been submitted that no case under Section 109 of the BNS is made out and the petitioners have no criminal antecedents.

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

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, 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 Chandauti P.S. Case No.112 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 their 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 antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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 prayer for anticipatory bail is allowed.

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

(Sourendra Pandey, J)

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