

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17474 of 2026

Arising Out of PS. Case No.-102 Year-2023 Thana- KAMTAUL District- Darbhanga

1. Amzad Ali @ Amzad@ Md Amzad Ali Son of Md Taiyab @ Md Taiyab @ Md Taiyabb ali Resident Of Mohalla- Pokhrauni , Sahdullahpur P.s- Bisfi Distt-Madhubani
2. Ahamad Ali @ Md Ahmad Ali Son of Md Taiyab @Md Taiyab @ Md Taiyabb ali Resident Of Mohalla- Pokhrauni , Sahdullahpur P.s- Bisfi Distt-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha
For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-04-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 354, 504, 379, 506, 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and are brothers. It is next submitted that the offences for which the instant FIR was instituted carries punishment of 7 years and less as such petitioners were given notice under section 41(A) Cr.P.C. and the petitioners cooperated with the police during the course of investigation and police never felt the need of arresting the



petitioners but then charge sheet came to be submitted based on which cognizance was taken and thereafter summons, bailable and non-bailable warrant of arrest was issued. It is submitted that petitioners never received the summons and bailable warrant nor there is any service report on record but after issuance of non-bailable warrant of arrest, the police started knocking the door. It is next submitted that when the police during the course of investigation and police never felt the need of arresting the petitioners, whether it would be prudent for the court to send the petitioners to jail since cognizance has been taken. It is next submitted that no doubt in the FIR, the informant alleges that accused persons assaulted her by an iron rod causing injury on head and even snatched Rs.5 lacs and a Redmi mobile and threatened but then the fact is that marriage of the informant fixed with petitioner no.2 but then informant was not ready to solemnise her marriage with petitioner no.2 as she was of the opinion that petitioner no.2 remains ill most of the time, as such, a confrontation took place when a false case came to be instituted.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned



counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Kamtaul P.S. Case No.102/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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