

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15820 of 2026

Arising Out of PS. Case No.-259 Year-2025 Thana- JOKIHAT District- Araria

1. Jahid S/O Jainuddin Resident of village-Bhagwanpur ward no.04, Police Station-Jokihat, District-Araria.
2. Azad @ Azim @Azam Son of Jamruddin Resident of village-Bhagwanpur ward no.04, Police Station-Jokihat, District-Araria.
3. Nahid @ Md. Nahid Son of Azad @Azim Resident of village-Bhagwanpur ward no.04, Police Station-Jokihat, District-Araria.
4. Ismail@ Israil Son of Kalimuddin Resident of village-Bhagwanpur ward no.04, Police Station-Jokihat, District-Araria.
5. Rageeb Son of Ismail @ Israil Resident of village-Bhagwanpur ward no.04, Police Station-Jokihat, District-Araria.
6. Hasim Son of Samsuddin Resident of village-Bhagwanpur ward no.04, Police Station-Jokihat, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-04-2026 **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 126(2), 115(2), 132, 262, 303(2), 3(5) of the BNS and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for petitioner nos. 1, 2 and 4 have antecedent of two cases and petitioner nos. 3, 5 and 6 have antecedent of one case with clean antecedent and allegation is of



recovery of 15 litres of cough syrup from a place behind the house of Nabi Hasan.

4. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that Nabi Hasan was apprehended and thereafter he started raising an alarm, on account of which, people gathered including the female members of the house of Nabi Hasan and they assaulted the police. It is further submitted that as far as allegation against the petitioners is alleged, they are alleged to have come at the place of occurrence on alarm raised by Nabi Hasan but then it is submitted that they are neighbour of Nabi Hasan and when police came to the place of occurrence, they out of inquisitiveness came to the place of occurrence to witness the occurrence when they came to be implicated. It is also submitted that petitioners are not alleged to have been involved in the occurrence of trade relating to cough syrup.

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

6. 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 **provisional 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 the learned trial court where the case is pending/successor court in connection with Jokihat



P.S. Case No.259/2025, subject to the conditions as laid down under Section Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioners and in the event if it is found that petitioner nos. 1, 2 and 4 have antecedent of more than two cases and petitioner nos. 3, 5 and 6 have antecedent of more than one case then it would be presumed that petitioners, for the purposes of seeking anticipatory bail, had concealed their antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed with respect to that petitioner who had concealed his criminal antecedent before this Court, but after verification if it is found that petitioner nos. 1, 2 and 4 have antecedent of two cases and petitioner nos. 3, 5 and 6 have antecedent of one case in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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