

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15763 of 2026

Arising Out of PS. Case No.-237 Year-2025 Thana- AMDABAD District- Katihar

1. Murtaza @ Murtja S/o Nursed Ali Resident of - Jiyamari, P.S - Amdabad, District - Katihar
2. Md. Akbar S/o Sirajul Haque Resident of - Jiyamari, P.S - Amdabad, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Musowir, Advocate
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are apprehending arrest in connection with Amdabad P.S. Case No. 237 of 2025 lodged on 26.09.2025, for the offence punishable under Sections 191(2), 191(3), 190, 126(2), 127(2), 115(2), 109, 331(5), 132, 121(1), 121(2), 309(5), 307, 352, 351(2), 351(3), 61(2), 125(b), 137(2) & 324(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against 17 named accused persons including the present petitioners and about 150 unknown persons. According to F.I.R., the prosecution case, in a nutshell, is that informant/the police officer received a telephonic call from dial no. 112 to this effect



that there has been a vehicle accident at village Jamaipara, then informant along with local Chowkidar arrived to the said village, he saw the mob of 400-500 persons there. Informant has further alleged that on being asked, some local persons informed him that two persons riding on motorcycle were coming and in that course, they dashed to one Abdul Rahman who was a resident of village Jamaipara. Further, persons disclosed that said two motorcycle riders have been kept in the house of Abdul Rahman by the villagers. Hence, informant went to the courtyard of Abdul Rahman for taking up the custody of said motorcycle riders as well as alleged motorcycle, then he saw that there were 200 persons present inside and outside of the house of Abdul Rahman. The informant has further alleged that when he asked about said both motorcycle riders then accused-petitioners namely 1. Murtaza 2. Md. Akbar 3. Md. Husen 4. Md. Sadakas 5. Md. Mojahid 6. Jahangir Alam 7. Amir Hussain 8. Ahmad Hussain 9. Akhatar 10. Gayasuddin 11. Salauddin 12. Mansur and some other accused persons got furious and caused hindrance in legal proceedings, then the aforesaid accused-petitioners and about 150 unknown persons and other accused named in F.I.R abused the police personnel and also used criminal force against them and they also tried to snatch the rifle



from police personnel and on protest, all aforesaid persons started assaulting to the police personnel and they further made lethal attack on the police personnel and they also caused injury on the head of a constable, namely Hitendra Kumar. They also brutally assaulted the informant. Later on, Hitendra Kumar was taken to PHC Amdabad for treatment.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. Counsel submits that the petitioners have been falsely implicated in this case and the allegations against the petitioners are general and omnibus in nature. Counsel also submits that some of the accused persons have been granted anticipatory bail by the Co-ordinate Bench of this Court *vide* order dated 24.02.2026 passed in Cr. Misc. No. 10208 of 2026. Counsel further submits that the petitioners have clean antecedent and they are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the



Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Judicial Magistrate 1st Class, Katihar, in connection with Amdabad P.S. Case No. 237 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023 with further conditions:-

(i) one of the bailors should be the family member/relative of the petitioners who shall provide official document to show his/her *bonafide*.

(ii) the petitioners shall appear on each and every date before the trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the trial court itself.

(iii) the petitioners shall appear before the concerned police station for one year, within every fortnight, to mark their attendance.

(Dr. Anshuman, J)

Divyansh/-

U		T	
---	--	---	--

