

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20215 of 2026

Arising Out of PS. Case No.-9 Year-2026 Thana- DALSINGHSARAI District- Samastipur

Mohamad Rasid @ Md. Rashid Son of Md Jamil Akhtar @ Jamil Akhtar
Resident of village - Sardarganj, P.S.- Dalsinghsarai, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Hussamuddin Azad, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 07-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Dalsinghsarai P.S. Case No. 09 of 2026, dated 10.01.2026, lodged under Section 191(2), 191(3), 191, 126(2), 115(2), 121(2), 121(1), 132, 109(1), 324(4), 324(5), 352, 351(2) and 351(3) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against 13 named and 50-60 unknown accused persons including the present petitioner. The allegation against the accused persons is that due to a road accident, the road was jammed and the local public started shouting against the administration and police, and during the said period, when the police tried to remove the



traffic, all of a sudden the local persons started agitating against the police, in which scuffling took place, and the name of the petitioner has figured in this case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the petitioner is a nearby person and was passing through the said place. Counsel further submits that the criminal antecedent of the petitioner is not clean, as one criminal case is pending against him in which he is pursuing bail. Counsel further submits that there is no whisper against the petitioner or any specific role attributed to him, rather, at the spur of the moment, the mob became angry and it was the mob which attacked the police officials, whereas the petitioner was merely passing nearby.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the role of the petitioner may not be directly identical, but he was part of the mob.

6. Considering the facts and circumstances of the present case, let the above-named petitioner 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) as



mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of A.C.J.M.-I, Dalsinghsarai, Samastipur, in connection with Dalsinghsarai P.S. Case No. 09 of 2026, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023 with other following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner 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 his bail bonds by the Trial Court itself.

(Dr. Anshuman, J.)

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