

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22796 of 2026

Arising Out of PS. Case No.-64 Year-2025 Thana- SUHAIL District- Gaya

1. Fudan Mian son of Late Nanku Mian Resident of Village- Pakari, P.S.- Suhail, District- Gaya,
2. Anwar Mian @ Anwar Ansari son of Fudan Mian Resident of Village- Pakari, P.S.- Suhail, District- Gaya,
3. Golu Mian @ Amsher @ Mohammad Amsher son of Fudan Mian Resident of Village- Pakari, P.S.- Suhail, District- Gaya,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 01-07-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in anticipation of their arrest in connection with Suhail P.S. Case No. 64 of 2025 instituted for the offences punishable under Sections 126(2), 115(2), 76, 118, 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, allegation against the petitioners is that they along with other accused persons came there and started fighting with the informant and other family members and thereafter petitioner no. 1 assaulted the husband of



the informant with Garasa hitting him on his left leg and then other co-accused persons assaulted Kasim Miyan causing injury in his eye.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated however no occurrence, as alleged, had taken place. It has further been submitted that there is case and counter case for the same offence and one Suhail P.S. Case No. 65 of 2025 was lodged from the side of the petitioners. The learned counsel for the petitioners has drawn the attention of this Court towards Annexure-P/3, whereby the injury reports of the injured persons have been brought on record and from perusal of the same all the injuries were found to be simple in nature. It has next been submitted that the petitioners have clean antecedents.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts aforesaid, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the



satisfaction of the learned Sub-Divisional Judicial Magistrate, Sherghati, Gaya in connection with Suhail P.S. Case No. 64 of 2025, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioners and the other shall be a local resident:

(ii) the petitioners will remain physically present on each and every date fixed by the Court below, if so required by the learned Trial Court and shall cooperate in the investigation;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will liable to be cancelled by the Court concerned;

(iv) the 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 antecedents, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

(v) If the petitioners, in future, is found to be involved in similar nature of offence, the prosecution shall be at liberty to move for cancellation of their bail bonds.



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

(Sourendra Pandey, J)

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