

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35600 of 2026

Arising Out of PS. Case No.-604 Year-2025 Thana- CHAKIA District- East Champaran

Chand @ Kashid S/o Meraj Miya R/o Village- Kuawa, Ward no-10, P.S-
Chakia, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv.

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 01-06-2026 Heard learned Advocate for the petitioner and learned
APP for the State through virtual mode.

2. The petitioner apprehends his arrest in connection with Chakia P.S. Case No.604 of 2025 registered for the offences punishable under Sections 196 and 299 of the BNS.

3. The allegation against the petitioner is that he, along with other named and unknown persons, pasted posters on the houses of members of the Hindu community, thereby allegedly causing communal disturbance and public unrest.

4. The learned Advocate for the petitioner submitted that only on account of the fact that the petitioner is the resident of same locality, his name has been implicated in this case on suspicion. It is further submitted that the allegation of pasting a poster, in the absence of any overt act or intention to incite



public disorder or disturb communal harmony, does not attract the ingredients of the offences alleged against him. Moreover, co-accused Md. Shahjad @ Shahjad Ansari, who is facing similar allegation, has been extended the privilege of anticipatory bail by a co-ordinate Bench of this Court in Criminal Miscellaneous No. 31002 of 2026. The copy of the said order is placed on record as Annexure-2 to the present application. The petitioner is said to be a man of fair antecedent and he undertakes that he will fully cooperate in the proceedings of the Court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioner was found indulge in creating communal disharmony and as such he does not deserve the privilege of anticipatory bail.

6. Having considered the submissions advanced on behalf of learned Advocates for the respective parties and taking note of the fact that the present FIR has been instituted against five named accused persons and 35 to 40 unknown persons with omnibus allegation, coupled with the fact the petitioner bears fair antecedent and one of the co-accused persons facing identical allegation has been allowed the privilege of



anticipatory bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Chakia P.S. Case No.604 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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