

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39580 of 2026

Arising Out of PS. Case No.-555 Year-2018 Thana- JOGAPATTI District- West Champaran

1. Md. Aftab Alam Son of Jobbair Ahmad Resident of Village- Dihi Dhabelwa, P.S.- Yogapatti, District- West Champaran.
2. Rustam Ali Son of Yakub Ali @ Yakub Miyan Resident of Village- Dihi Dhabelwa, P.S.- Yogapatti, District- West Champaran.
3. Afroj Alam Son of Yakub Ali @ Yakub Miyan Resident of Village- Dihi Dhabelwa, P.S.- Yogapatti, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sitesh Kashyap, Advocate
For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-06-2026 Heard learned counsel for the petitioners and the

State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 147/148/149/341/323/324/307/506, I.P.C. and 27, Arms Act.

3. The prosecution case, in brief, is that on November 14, 2018, at around 1:00 PM, during an inquiry conducted by the Education Programme Officer into alleged irregularities in the Madarsa recruitment process, the named accused persons unlawfully assembled at the site, abused the informant, and, upon the exhortation of accused Anar @ Anabar Mian to kill



them, accused Mohammad Umar Ansari fired a country-made pistol, causing a firearm injury to the informant's head. It is further alleged that accused Mohammad Abduaish fired a shot that pierced through the informant's kurta, while accused Khul Alam shot and injured Mohammad Nuruddin, following which all the accused brutally assaulted the informant and others with lathis and sticks, inflicting injuries across their bodies. Upon receiving information, the police rushed to the place of occurrence and shifted the injured persons for medical treatment to PMCH, Patna.

4. It is submitted on behalf of the petitioners that specific accusation of firearms injury is against other co-accused persons. So far as, this petitioners is concerned, allegation is general and omnibus against them. No specific allegation is attributed against them. After investigation, police chargesheet against 5 accused persons, however present petitioner have not been sent up for trial by the police stating that there is no complicity of these petitioners in the alleged occurrence . Petitioner Nos. 1 and 3 claim clean antecedent and petitioner No. 2 has got 2 criminal antecedents in which he is on bail.

5 . Learned counsel for the State oppose the bail petition .



6 Considering the general and omnibus allegation against these petitioners, materials available on record and other circumstances of the case , in the event of arrest or surrender within eight weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the C.J.M., Bettiah, West Champaran/Successor Court, in connection with Yogapatti P.S. Case No. 555 of 2018 , subject to the conditions laid down under section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS) , 2023 .

(Prabhat Kumar Singh, J)

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