

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38849 of 2026

Arising Out of PS. Case No.-14 Year-2026 Thana- DALSINGHSARAI District- Samastipur

Md. Rashid @ Mohamad Rasid S/O Md. Jamil Akhtar R/O village -
Sardarganj , P.S. - Dalsingsarai . District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Dalsingsarai P.S. Case No. 14 of 2026 registered for the
offences under Sections 191(2), 191(3), 190, 126(2), 115(2),
109(1), 324(4), 324(5), 352, 351(2), 351(3) of the Bharatiya
Nyaya Sanhita, 2023.

3. As per the prosecution case, it is alleged that on
account of the death of an elderly person due to a road accident,
a violent mob indulged in vandalism and attacked the passing



vehicles and in fact, injured one of the truck drivers.

4. Learned counsel for the petitioner submits that the petitioner has been named along with thirteen other persons and 30 to 40 unknown persons to be involved in the said ruckus without any specific allegation of any overt act. It has further been submitted that the name of the petitioner has falsely been given by his enemies and in fact, he was not even present at the place of occurrence. It has next been submitted that a similarly situated co-accused person, namely, Shubham Sah @ Subham Kumar @ Shubham Sah, has been enlarged on anticipatory bail by a learned Co-ordinate Bench of this Hon'ble Court in Cr. Misc. No. 23223 of 2026 vide order dated 10.04.2026. It has lastly been submitted that one criminal antecedent against the petitioner arises from the same incident.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail and has stated that the petitioner has indulged in assault and was part of a mob.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail



bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Dalsingsarai P.S. Case No. 14 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.



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

(Sourendra Pandey, J)

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