

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38874 of 2026**

Arising Out of P.S. Case No.-85, Year-2025, Thana- GHURNA, District-
Araria

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1. Muslim, S/o- Late Alauddin, Resident of village- Pathraha, Ward no- 13
Police Station- Ghurna, District-Araria
 2. Taslim, S/o- Late Alauddin @ Late Alaudin, Resident of village- Pathraha,
Ward no- 13, Police Station- Ghurna, District-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 17-06-2026 Heard the learned counsel for the petitioners and the

learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Ghurna P.S. Case No. 85 of 2025 registered for the offence(s) under Section(s) 126(2), 115(2), 118(1), 117(2), 109, 74, 303(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the prosecution case, the allegation against the petitioners is that they had torn the clothes of the wife of the informant and tried to outrage the modesty while the other accused persons had assaulted the informant and others.

4. The learned counsel for the petitioners submits that the petitioners have falsely been implicated with a false statement of trying to outrage the modesty, however, it is clear that the said allegation is superficial in nature and was added as



an afterthought. It has further been submitted that the allegation of assault is upon the other accused persons and there is no allegation against the petitioners being involved in either assault or snatching away of the gold ornaments. It has lastly been submitted that the petitioners have three criminal cases against their name out of which two were registered on account of some family dispute and they are on bail in such cases.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners, above-named, be released on anticipatory bail, in the event of their arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on their furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Ghurna P.S. Case No. 85 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the



Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as
subject to the following conditions :

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

(ii) The petitioners shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the concerned Court.

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

(v) The concerned Court shall verify the criminal antecedents of the petitioners and in case, at any stage, it is found that they have concealed their criminal antecedents, the Court concerned shall take necessary steps for cancellation of their bail bonds. 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.

(vi) In view of the antecedents of the petitioner, the petitioner is directed to appear before the concerned Superintendent of Police within fifteen (15) days of his/her release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the concerned Superintendent of Police and if it is found wanting in any respect, a report shall be made to the Court concerned by him/her to initiate a proceeding for cancellation of bail of the petitioner for reasons of misuse of bail. After reporting to the Superintendent of



Police, a certificate will be filed by the petitioner before the Court concerned.

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

8. The application stands allowed.

sweta/-

(Sourendra Pandey, J)

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