

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41474 of 2026

Arising Out of PS. Case No.-141 Year-2019 Thana- MAHARAJGANJ District- Siwan

1. Md. Khurshid Alam @ Mohammad Khursheed Alam S/O Md Jalil Ahmad R/O Village- Mahua Bhusa, P.S- Nautan, Distt.- Siwan.
2. Nisha Khatoon @ Nesa Khatoon W/O Md Khurshid Alam R/O Village- Mahua Bhusa, P.S.- Nautan, Distt.- Siwan.
3. Raj Mohammad @ Lal Mohammad @ Lal Md Ansari S/O jaleel Ansari R/O Village- Sarsa, P.S.- Dhanauti, Distt.- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tanruddin Ansari S/O Rahmatullah Miya R/O Village- Sikandarpur, P.S.- Mararajganj, Distt.- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyanshu Kumar Singh, Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-07-2026 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Maharaganj P.S. Case No. 141 of 2019, lodged on 23.05.2019, arising out of Complaint Case No.869 of 2019, under Sections 406, 420, 467, 468, 476, 120(B), 323, 341, 504 and 506 of the IPC.



3. As per the prosecution, the allegation made in the FIR is that the informant has kept Rs. 90,000/- for a work which has not been done and allegation that accused persons (petitioners) are not refunding the said amount.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the antecedent of the petitioner is clean. He submits that the complainant has not paid the aforesaid amount to the petitioners rather he has paid money to a person who is not petitioners and work has not been done by the said person to whom he has paid the money but on false allegation this case has been instituted in which entire family members have been made accused. He submits that petitioners are the respectable persons and they are ready to pay the said amount to the complainant. Though, the allegation is false.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that specific allegation of taking Rs. 90,000/- is against the petitioners.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail **subject to deposit of Rs. 90,000/- in the Court which shall be paid to the complainant, if case decides**



in his favour, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned Additional Chief Judicial Magistrate- II, Siwan in connection with Maharaganj P.S. Case No. 141 of 2019, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. And further condition that the Trial Court 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 Trial Court 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.

(Dr. Anshuman, J)

Mkr./Rakesh/-

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