

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44549 of 2026

Arising Out of PS. Case No.-73 Year-2026 Thana- Mahadeva P.S. District- Siwan

Farhan Khan @ Farhan Son of Nassimuddin Khan Resident of Village-
Laheji, P.S.- MH Nagar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
Mr. Hemant Ray, Advocate
For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-07-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 303(2), 191(2), 191(3), 190, 308(5), 329(3), 329(4), 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that she started construction work over her land and completed the boundary and also constructed a room, further she received her call from Osama Sahab, an MLA, asking her to stop construction work as he had purchased the land and the litigation is also going on, further asked her to give the papers of the land for his perusal to identify whose documents is genuine, accordingly,



she handed over the documents relating to the land that she had purchased and Osama after seeing the documents said, that he will have no issues if she continues with construction, provided her documents are genuine, thereafter months passed and her husband tried to contact Osama, but, he could not be contacted, thereafter informant for two days got the construction done and there was no objection from the side of Osama Sahab, thereafter she left for Gorakhpur giving responsibility of the construction to her people, further on 14.04.2026, her husband received a call from Osama who asked him to stop construction work, on which her husband asked whether the order is judicial or administrative, thereafter 30-35 goons of Osama came at the place of occurrence and assaulted her man present on the land, next alleges that Osama's goon namely Sabir and petitioner snatched mobile of her man and broke the CCTV camera and kept the same in a car along with other articles as detailed in the FIR and threatened to leave the land or consequences would follow, next alleges that earlier also petitioner and Sabir on orders of Osama had come on the land for stopping the work, hence her people identified them.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the instant case being an employee of Osama Sahab, it is further submitted that Osama Sahab had approached this Court seeking



anticipatory bail by filing Criminal Miscellaneous No. 32758 of 2026 and the same came to be allowed by an order dated 21.07.2026 passed by learned Co-Ordinate Bench. It further submitted that since petitioner is an employee of Osama Sahab, as such, he came to be implicated, it is next submitted that if privilege of anticipatory bail is granted, the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail application and submits that from perusal of the allegation has alleged in the FIR, it would manifest that informant alleges that Osama on phone used to call and threaten, but whether the threat was given by Osama or not is an aspect of investigation, but then as far as petitioner is concerned, it is specifically alleged that he had come on the land and had threatened the employees of the informant and had even taken away CCTV etc and earlier also the petitioner along with others had come to stop the work.

6. Considering the submissions made by the learned counsel for the parties and taking into considerations, the order dated 21.07.2026 in Criminal Miscellaneous No. 32758 of 2026, the petitioner the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing



bail bonds of Rs. 25,000/- (Rupees Twenty Five 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 Mahadeva P.S. Case No. 73 of 2026 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. One of the bailors of the petitioner shall be his father Nassimuddin Khan.

8. However, it is made clear that if investigation Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation, in that event, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner. Let a copy of this order to send to the concerned Police Station through the learned Trial Court.

9. This application stands allowed.

(Satyavrat Verma, J)

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