

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44517 of 2026

Arising Out of PS. Case No.-17 Year-2026 Thana- BAHADURPUR District- Darbhanga

Md. Rustam S/O Md. Hakim Resident of Village- Barheta (Ekmighat),
Madhopur Water wage Bandh, Police Station- Bahadurpur, District-
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Narsingh Tanti

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), 308(3), 74, 303(2), 352, 351(2) and 3(5) of the BNS.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that three named accused persons along with four
unknown accused came at her factory and demanded extortion
of Rs. 50,000/- from her employees Subodh and Ranjit, on
objection, petitioner assaulted them by bamboo and even tore
informant's cloths and snatched her mangalsutra, further Md.
Arif snatched her gold tops and Aryan acted inappropriately



with her and even assaulted her husband and snatched Rs. 10,000/- from him.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that during the course of the investigation police gave notice under Section 35(3) BNSS and the petitioner cooperated in the investigation and police never felt the need of arresting the petitioner, it is next submitted that police after investigation submitted charge-sheet but then the charge-sheet was not submitted under section of extortion as would manifest from the pleading made at para 4 of the supplementary affidavit nor the charge-sheet has been submitted under section 109 B.N.S., but then cognizance came to be taken. It is also submitted that when police during the course of investigation never felt the need of arresting the petitioner whether it would be prudent for the Court to send the petitioner to jail based on an order of cognizance, it is further submitted that if the privilege of anticipatory bail is granted to the petitioner, the petitioner will not abscond rather will cooperate in the trial to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.



6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Bahadurpur P.S. Case No. 17 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

(Satyavrat Verma, J)

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