

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45378 of 2026

Arising Out of PS. Case No.-430 Year-2025 Thana- LAKHISARAI District- Lakhisarai

1. Tabarak Khan S/o Rashid Khan Resident of Village - Mahisona, Ward No.- 5, P.S.- Tetarhat, District- Lakhisarai
2. Md. Muqaddar Khan S/o Rashid Khan Resident of Village - Mahisona, Ward No.- 5, P.S.- Tetarhat, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RANJAN KUMAR JHA
ORAL ORDER

2 16-07-2026 Heard learned counsel for the petitioners and the learned APP for the State.

2. The petitioners seek anticipatory bail in connection with Lakhisarai P.S. Case No. 430 of 2025, instituted for the offences punishable under Sections 140(1), 303(2), 126(2), 127(2), 115(2), 352, 351(2), and 3(5) of the B.N.S.

3. As per the prosecution case, the informant has alleged that the named accused persons including the petitioners and one unknown entered the house armed with pistol, abused the female members of the house and thereafter they forcibly kidnapped the informant in Scorpio demanding money and committing assault. It is further alleged that with the help of police the informant was recovered and thereafter the F.I.R. was



lodged.

4. Learned senior counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated due to an underlying monetary dispute between the parties. It is submitted that the alleged occurrence arose out of a sudden scuffle for which a counter-case, bearing Lakhisarai P.S. Case No. 431 of 2025, has also been registered against the prosecution party. Attention is further drawn to the injury report, which establishes that the injuries suffered by the informant and his brother are simple in nature.

5. Learned counsel further submits that four co-accused persons whose case stands on an identical footing, have already been granted the privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 20.02.2026 passed in Cr. Misc. No. 90170 of 2025. On the ground of parity, similar privilege is prayed for.

6. Learned APP for the State opposes the prayer for bail but does not dispute the fact that similarly situated co-accused persons have been enlarged on anticipatory bail.

7. Having heard the parties and considering the facts and circumstances, notably the simple nature of injuries, the existence of a counter-case, and the fact that co-accused persons



have already been granted bail, this Court is inclined to grant the privilege of anticipatory bail to the petitioners on the ground of parity.

8. Accordingly, let the petitioners above-named, in the event of their arrest or surrender before the learned court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Lakhisarai/concerned court subject to the conditions laid down under Section 482(2) of the BNSS, along with the following conditions:

(i) One of the bailors will be a close relative of the petitioners;

(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned Trial Court;

(iii) The court below shall verify the criminal antecedents of the petitioners, and if it is found at any stage that the petitioners have concealed their criminal antecedents, the court below shall take immediate steps for cancellation of their bail bonds.



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

(Ranjan Kumar Jha, J)

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