

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50352 of 2026

Arising Out of PS. Case No.-439 Year-2024 Thana- PAROO District- Muzaffarpur

Md. Munna, S/o Md. Shahid @ Md. Sabir, R/o Village- Bakhra, P.S.- Saraiya,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Paroo P.S. Case No. 439 of 2024 in a case registered for the offence punishable under Sections 126(2), 115(2), 109, 132, 324(5), 324(4), 121(1), 121(2), 3(5) of the BNS and Sections 25(1-b)a, 26, 27, 35 of the Arms Act.

3. Prosecution case in brief is that the informant received a confidential information that two accused were going on a motorcycle brandishing arms and during the course of vehicle checking the informant saw two persons coming on an Apache motorcycle which was being driven rashly. The informant gestured the motorcycle to stop but the riders tried to



flee and one of the riders fired at police party. The police chased the motorcycle and the riders fell down. They told their names to be Md. Munna and Md. Raja Ali. It is further alleged that while the police was interrogating these two persons, 50-60 persons gathered there and started attacking the police party. In consequence to that many police persons were injured.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner also submits that the petitioner is only having one criminal antecedent. It is further submitted that no fire-arm has been recovered from conscious possession of the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail on the ground that, there is specific allegation of assault on police party.

6. Having heard the parties and considering the fact that police party was attacked by the 50-60 persons to release the apprehended petitioner, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, if petitioner surrenders before the



concerned Trial Court within a period of six weeks from today then in that case, the Trial Court is directed to pass an order on his surrender-cum-bail application, without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Alok Kumar, J)

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