

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76784 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- SIMRAHA District- Araria

1. Jishan Alam @ Md. Jishan Alam @ Md. Jishan S/o Abul Hasan Resident of Mirzapur, ward no 10, PS- Simraha, District- Araria
2. Abu Sahma @ Md. Abu Shama S/o Late Abul Kalam Resident of Mirzapur, ward no 10, PS- Simraha, District- Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 09-02-2026 Heard the learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Simraha P.S. Case No. 04 of 2024 instituted under Sections 341, 323,
324, 307, 354 (B), 504, 506 and 34 of the IPC.

3. As per prosecution case, petitioner no. 1 is said to have
assaulted victim Manzar Alam by means of iron rod as a result of
which he sustained injury on his head. It is further alleged that
petitioner no. 2 and other assaulted victim Rabaani by means of iron
rod on his right hand.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the case. The
injury caused to the victim Rabbani has been found to be simple in



nature.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the fact and circumstances of the case, the anticipatory bail application of the petitioner is allowed.

7. Let the petitioners, above-named, in the event of his arrest, be released forthwith on bail, on furnishing a bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each, to the satisfaction of the Arresting Officer or Investigating Officer or the jurisdictional S.H.O. concerned, in connection with Simraha P.S. Case No. 04 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C./482 of the B.N.S.S. and further to the condition that the petitioners shall join investigation and shall fully co-operate in the investigation/trial, failing which the concerned court below shall be at liberty to cancel the bail bonds of the petitioner.

8. Needless to state that, if the petitioners fails to abide by the terms and conditions, as stated hereinabove, the State shall be at liberty to file an appropriate application, before the learned concerned court below, for cancellation of bail granted to the petitioner.

9. The learned counsel for the petitioner, at this juncture, has said that the I.O. of the case has been torturing the petitioners even after the stay of arrest order was passed by this Court.



10. If such is the fact, the petitioners are given liberty to approach Superintendent of Police, Araria with his complaint and he will take proper action against the I.O, if the I.O. has violated the orders of this Court.

11. Let a copy of this order be communicated to the Superintendent of Police, Araria through FAX or e-mail for its compliance.

(Sandeep Kumar, J)

vashudha/-

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