

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73254 of 2025

Arising Out of PS. Case No.-578 Year-2024 Thana- GANDHIMAIDAN District- Patna

Md. Nadim @ Md. Nadeem S/o Md. Sabir R/o Village- Aunsi Babhangawan,
P.S.- Bifsy, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisu Zzoha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 09-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending arrest in connection with Gandhi Maidan P.S. Case No.578 of 2024 lodged under Sections 318(4), 338, 336(3), 340(2), 61 & 3(5) of the B.N.S., 2023 pending before the Court of S.D.J.M., Patna.

3. Learned counsel for the petitioner submits that the anticipatory bail application of the petitioner was earlier dismissed vide order dated 14.05.2025 passed in Cr. Misc. No.4162 of 2025.

4. Learned counsel for the petitioner further submits that the petitioner has filed second anticipatory bail application only due to this reason that other co-accused person has been granted bail by the Co-ordinate Bench of this Court vide order dated 30.07.2025 passed in Cr. Misc. No.19577 of 2025.

5. Learned counsel for the State opposes the prayer



for bail and submits that earlier, bail application has been rejected in two criminal cases *i.e.*, vide order dated 14.05.2025 passed in Cr. Misc. Case Nos. 2561 of 2025 and Cr. Misc. No.4162 of 2025.

6. Counsel further submits that grant of anticipatory bail to another co-accused cannot be a change in circumstances as every accused persons have its own role in a case and particularly, bail application of two accused persons have been granted on merit, therefore, the present bail application is not maintainable at all.

7. In the present facts and circumstances of this case and the submissions made above, one plea which has been taken by the petitioner that anticipatory bail of 2 accused persons have been earlier rejected and anticipatory bail of one of the accused persons has been subsequently granted by Co-ordinate Bench of this Court, cannot be a change in circumstances and hence, not maintainable. As such, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected.

8. Accordingly, the present anticipatory bail application stands rejected.

(Dr. Anshuman, J)

Prakashmani/-

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