IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70349 of 2026

CNR No. BRHC011026312026

Arising Out of PS. Case No.-651 Year-2026 Thana- SAHEBGANJ District- Muzaffarpur

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1. Birendra Singh S/O Late Sogarath Rai Resident of Village- Khantari, P.S.- Sahebganj, District- Muzaffarpur
2. Binod Kumar S/O Late Vrujkishor Pandit Resident of Village- Khantari, P.S.- Sahebganj, District- Muzaffarpur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Y.C. Verma, Senior Advocate
Mr. Harsh Kumar, Advocate
Mr. Rabish Kumar, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

3 30-10-2026 Heard learned senior counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Sahebganj P.S. Case No. 651 of 2026 dated 27.07.2026 registered for the offences punishable under Sections 190, 191(3), 191(2), 121(1), 109, 115(2), 74, 324(4), 351(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita and Sections 3, 4 and 5 of the Explosive Substances Act.

3. As per the allegation, when the police party was patrolling near a market, the accused persons, named in the FIR, in a pre-planned manner, hurled bombs at the police vehicle and

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assaulted some police personnel by means of *lathi* and *danda*, when a female constable attempted to intervene, she too was assaulted. It is claimed that the petitioners and other named accused persons were subsequently identified through video footage as well as on confidential information. It has further been alleged that explosive articles were seized from near the place of occurrence.

4. Learned senior counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case and although it is claimed that the petitioners were identified in the video footage, but, referring to paragraph-25 of the case diary, it has been submitted that the video footage in the CCTV camera outside the bank was seen, but it has been specifically stated that there was no recording as the bank was closed on that day. It has further been submitted that although it has been alleged that several police personnel were injured, but there is no injury report of any of the injured police personnel on record. Moreover, there is no material to suggest that the police vehicle was damaged. It has further been submitted that the senior police officials have come to a finding that no bomb was hurled on the police party, rather some crackers were being exploded and, as such, no case under Section 109 of BNS is

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made out. It has further been submitted that since crackers were used, no offence under Explosive Substances Act is also made out, while the other offences alleged are bailable in nature. It has further been submitted that an exaggerated version of the occurrence has been made in the FIR. It has further been submitted that one of the co-villager, who was granted bail in another case, the villagers were celebrating by exploding the crackers, which was not liked by the police party and, hence, false accusation has been made against the petitioners. It has further been submitted that the petitioners are ready to co-operate in the trial/investigation of the case. It has lastly been submitted that the petitioners have been made accused in three other cases, but in two of them, they are on bail and in the third case the police has submitted the final form exonerating the petitioners.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Heard the parties and perused the record.

7. Considering the aforesaid facts and circumstances of the case as well as the findings of the superior police officers, there being no injury report, there being no video footage on record and the suspicious nature of allegation, let the above

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named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM II (W), Muzaffarpur, in connection with Sahebganj P.S. Case No. 651 of 2026, subject to conditions as laid down under section 482(2) of the B.N.S.S., with the following conditions:-

i. One of the bailors of the petitioners should be close relative.

ii. The petitioners are directed to co-operate in the trial and be well represented on each and every date fixed in the trial and failure to appear on two consecutive dates, the court below would be at liberty to cancel the bail bonds of the petitioner.

8. The application stands allowed.

(Praveen Kumar, J)

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