IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76639 of 2026

CNR No. BRHC011068522026

Arising Out of PS. Case No.-659 Year-2025 Thana- BELAGANJ District- Gaya

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Md. Amir Hamza @ Md. Hamza S/o- Md. Naushad @ Guddu @ Mohammed Naushad @ Guddi R/v- Dadpur Tola Faridpur Ps- Belaganj Dist- Gayaji

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Nafisu Zzoha, Adv.
For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Belaganj P.S. Case No. 659 of 2025, registered for the offences punishable under Sections 191(2), 191(3), 126(2), 115(2), 125, 74, 75, 352, 351(2), 61(2) of the BNS and 27 of the Arms Act.

3. The prosecution case, in brief, is that on 14.11.2025, while the informant and other women were returning after offering prayers at Ishapur Devi Asthan, the accused persons were raising objectionable slogans. On protest, the accused persons abused them using caste specific words, surrounded them, and attempted to outrage their modesty by

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pulling their hair and throwing them on the ground.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated due to personal enmity with the informant. He is a person of clean antecedent. He is not named in the FIR. He has further submitted that co-accused persons have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 30.04.2026 in Cr. Misc. No. 28681 of 2026.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. The petitioner is not named in the FIR. His involvement has surfaced on the basis of video of place of occurrence and upon identification of *Chowkidar*. There is no specific allegation against the petitioner and at best, he can be said to be a member of the mob. The petitioner is a young boy of 19 years of age, having clean antecedent. Under these circumstances, I am inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, as named above, in the event of his arrest or surrender within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the

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satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Belaganj P.S. Case No. 659 of 2025, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to further condition that :-

(i) The petitioner shall co-operate in the investigation/ trial.

(ii) The learned Court below would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

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