

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77869 of 2025

Arising Out of PS. Case No.-423 Year-2023 Thana- BHAGWAN BAZAR District- Saran

Perwez Khan @ Md. Asifuddin Khan S/o- Late Md. Serajuddin Kha R/o
Mohalla - Near Choti Masjid Nai Bazar P.S - Bhagwan Bazar, Dist- Saran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Srivastva, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-02-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 147, 148, 149, 188, 290,
153(A), 295, 295(A), 296, 337, 338, 307, 332, 333, 353, 427 and
120(B) of the Indian Penal Code as well as Section 9 of the Bihar
Control of Use and Play of Loudspeaker Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the allegation is that
during the procession of immersion of Goddess Durga, a ruckus was
created when the idol reached near a Mosque and the procession was
stopped and chanting of slogan was resorted to on account of which
law and order situation arose.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant. It is next submitted that from perusal of the allegation as



alleged in the FIR, it would manifest that the allegation of assault and abuse is general and omnibus in nature. It is also submitted that Arslan Khan @ Kallu and Intekhab Khan @ Champion had approached this Court seeking anticipatory bail by filing Cr. Misc. No. 39854 of 2025 and the same came to be allowed by an order dated 15.07.2025 passed by a learned Coordinate Bench of this Court.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Bhagwan Bazar P.S. Case No. 423 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C./482(2) of the BNSS.

(Satyavrat Verma, J)

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