

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82980 of 2025

Arising Out of PS. Case No.-488 Year-2025 Thana- BELAGANJ District- Gaya

1. Md. Adil @ Md. Adil Alam S/o Md. Tufail R/o Vill- Bhalua, PS- Belaganj, Dist- Gaya
2. Md. Harun S/o Jamaluddin @ Late Md. Jamaluddin R/o Vill- Bhalua, PS- Belaganj, Dist- Gaya
3. Md. Safadar S/o Late Jamaluddin @ Late Md. Jamaluddin R/o Vill- Bhalua, PS- Belaganj, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sinha
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 11-02-2026 Heard the learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. At the outset, learned counsel for the petitioners seek withdrawal of anticipatory bail with respect to Petitioner No. 2, namely, *Md. Harun*.

3. In view of such submission, the anticipatory bail of Petitioner No. 2 - *Md. Harun* is dismissed as withdrawn. Now, the bail application of Petitioner No. 1 - *Md. Adil* & Petitioner No. 3 - *Md. Safadar* is being considered.

4. The petitioners are apprehended their arrest in connection with Belaganj P.S. Case No. 488 of 2025, F.I.R dated 17.08.2025 registered for the offences punishable under



Sections 191(2), 191(3), 190, 115(2), 117(4), 352, 351(2) & 109(1) of Bharatiya Nyaya Sanhita, 2023.

5. According to prosecution case, on 16.08.2025, the informant gave a statement before the S.I. at A.N.M.C.H., alleging that Md. Gufran @ Bailoon, Md. Nazim, Md. Harun, Md. Faiz and others, along with 10 to 15 unknown persons armed with sticks and rods, came to his house amid an ongoing dispute. Md. Gufran allegedly ordered to kill anyone supporting Md. Harhim. The accused allegedly assaulted the informant and his family members when they intervened. Harun allegedly snatched a licensed gun and fired. While fleeing, the informant was surrounded and beaten; Md. Nazim allegedly struck his head with a stick, causing serious injury, and Md. Faiz assaulted Md. Alimuddin similarly.

6. Learned counsel for the petitioners submits that the allegations are general and omnibus and there is nothing specific against them, and injuries sustained is no way related to have been caused by these two persons and they have clean antecedents.

7. Learned APP for the State opposes the prayer for anticipatory bail application.

8. Considering the fact that the petitioners allegations



are general and omnibus, there is no allegations of overt act, which is said to have caused the injury in question. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the Petitioner No. 1 - *Md. Adil* & Petitioner No. 3 - *Md. Safadar*.

9. Let the Petitioner No. 1 - *Md. Adil* & Petitioner No. 3 - *Md. Safadar*, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gaya in connection with Belaganj P.S. Case No. 488 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;



(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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