

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84182 of 2025

Arising Out of PS. Case No.-200 Year-2025 Thana- CHHAURADANO District- East
Champaran

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Khursheed Alam @ Kharsheed Alam S/O Munna Ansari Resident of Village-
Semarhiya, P.S.- Chhauradano, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md Ansiur Rahman, Adv.

For the Opposite Party/s : Ms.Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 11-02-2026 Heard Mr. Md. Anisur Rahman, learned counsel for
the petitioner and the learned APP for the State.

2. This application for grant of anticipatory bail arises out of Chhauradano Police Station Case No. 200 of 2025 dated 29.06.2025, disclosing the offence under Sections 126(2), 115(2), 109, 351(2) and 3(5) of the BNS and under Sections 25(1-B) (a), 26, 35 of the Arms Act lodged by the informant, Prabhat Kumar.

3. As per the prosecution case, the informant/police after receiving the information of altercation between some miscreants, they started to search out the miscreants and during course of search, they found two persons fleeing away, namely, Zahir Imam and this petitioner. Taking benefit of darkness, the petitioner, allegedly, succeeded in his escape while the accused,



Zahir Imam was caught. The police searched him and recovered one mobile phone, one country made pistol (*Katta*), two live cartridges and one empty magazine of pistol from his possession. Accordingly, the present FIR.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence as alleged in the FIR and he has falsely been implicated in this case and only on the basis of confessional statement of the co-accused, Zahir Imam. He further submits that from the FIR itself, it is evident that there is nothing specific against this petitioner and nothing incriminating has been recovered from the conscious possession of the petitioner except confessional statement of the co-accused. It has next been submitted that the petitioner has got clean antecedent and he is ready to abide by all the conditions as imposed by the Court.

5. On the other hand, learned APP opposes the prayer for anticipatory bail of the petitioner submitting that his name has been disclosed by the co-accused who has been arrested by the police.

6. After having heard learned counsel for the parties and taking into consideration the fact that nothing incriminating has been recovered from the petitioner, neither he



was present at the place of occurrence, there is nothing specific against him except confessional statement of the co-accused and the petitioner has got no criminal antecedent, this Court is inclined to grant the petitioner the privilege of anticipatory bail.

7. This application for anticipatory bail is, accordingly, allowed.

8. Let the petitioner, named above, in the event of his arrest or surrender before the Court below within six weeks from today, 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 learned Sub-Divisional Judicial Magistrate, Motihari, East Champaran in connection with aforesaid Police Station Case subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023, as well as the 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 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

(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 his/her bail bonds.

(Ajit Kumar, J)

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