

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86935 of 2025

Arising Out of PS. Case No.-74 Year-2025 Thana- Sarabhada District- Gaya

1. Md. Aftab @ Md. Aftab Alam Son of Md. Firoz @ Mohammad Firoz Resident of Village - Kabirpur, Police Station - Sarabhada, District - Gaya.
2. Md. Sultan Son of Md. Firoz @ Mohammad Firoz Resident of Village - Kabirpur, Police Station - Sarabhada, District - Gaya.
3. Md. Basir @ Md. Wasir Son of Md. Firoz @ Mohammad Firoz Resident of Village - Kabirpur, Police Station - Sarabhada, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh

For the Opposite Party/s : Mr. Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-02-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109, 352, 3(5) of the B.N.S., 2023 and Section 27 of the Arms Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that on 06.07.2025 at 7 P.M. he was returning home from market, when accused persons intervened the petitioners intercepted him and Bashir assaulted him by butt of pistol on



head and fired in the air and rest accused assaulted him with lathi and danda.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation of assault is alleged against petitioner no.1 and 2 though petitioner no.3 is alleged to have assaulted by butt of pistol and even fired but then no one was injured in the firing and the said allegation has been alleged only to give seriousness to the case. It is also submitted that the injury suffered by the injured has been opined to be simple in nature. It is reiterated and submitted that petitioners are persons with clean antecedent and are not criminals and they will not abscond rather will cooperate in the investigation to prove their innocence.

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

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Sarabhada P.S. Case No.74/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Satyavrat Verma, J)

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