

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86027 of 2025

Arising Out of PS. Case No.-95 Year-2025 Thana- Banuchhapar District- West Champaran

1. Motilal Sharma son of Late Harilal Sharma Resident of Village -Tiwari Tola Auraiya ward No 1, PS -Banuchhapar, Distt -West Champaran
2. Shamim Mian @ Shamim Alam son of Manjar Mian Resident of Village -Tiwari Tola Auraiya ward No 1, PS -Banuchhapar, Distt -West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Khushi Awadh, Adv.

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-01-2026 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 offence under Sections 126(2), 115(2), 109, 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita and Section 27 of the Arms Act.

3. Learned counsel for the petitioners submits that as per F.I.R. itself, petitioner no. 1 is only alleged to be order-giver, whereas there is no allegation of overt act against petitioner no. 2 and he is only alleged to be member of the mob. Specific allegation of firing upon informant is against co-accused Guddu Sharma. Petitioners claim clean antecedent.



4. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

5. In the facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Banuchhapar P.S. Case No. 95 of 2025, subject to condition as laid down under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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