

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89297 of 2025

Arising Out of PS. Case No.-513 Year-2023 Thana- DHAKA District- East Champaran

1. Anjur Sai @ Jamil Akhtar S/O Late Suleman Sai R/O Vill.- Fulwariya, P.S.- Dhaka, Dist.- East Champaran
2. Md. Aftab Alam @ Aftab Alam S/O Wasi Alam R/O Vill.- Fulwariya, P.S.- Dhaka, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Adv.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 23-02-2026 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Dhaka P.S. Case No. 513 of 2023 dated 08.09.2023 registered for the offence punishable under Sections 447, 341, 323, 385, 384, 354(B), 379, 34 of the Indian Penal Code.

3. As per prosecution case, the accused persons including the petitioners are accused of demanding ransom of Rs. one lakh from the Informant in exchange for staying in the house, dragging his wife on the road as also of stealing Rs. 2000/-.



4. Learned counsel for the petitioners submits that for a land dispute regarding partition of the ancestral property, the incident is alleged to have taken place, while the allegations against the petitioners are general and omnibus in nature and there is no injury report on record and considering the same, learned court below had granted privilege of anticipatory bail to the petitioners vide order dated 27.04.2024 in ABP No. 1287 of 2024 but, as the petitioner no.1 Anjur Sai @ Jamil Akhtar was suffering from Lower Back Pain and the petitioner no.2 was engaged in his treatment, the petitioners could not surrender within the time stipulated and, thereafter, for extension of time, an application was filed, which was not considered and, accordingly, the petitioners had to withdraw the same. Subsequently, vide fresh anticipatory bail petition, the petitioners have prayed for grant of anticipatory bail and the reasons were also disclosed by them in the said petition wherein it has specifically been stated that the petitioner no.1 Anjur Sai @ Jamil Akhtar was suffering from lower back pain and the petitioner no.2 Md. Aftab Alam @ Abtab Alam was busy in his treatment but, owing to there being inordinate delay in surrendering before the court below, such privilege of anticipatory bail dated 27.04.2024, was not extended to them.



5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioners.

6. Considering the fact that the allegations are general and omnibus and their complicity has not been found out and once such privilege for anticipatory bail was extended to the petitioners but, they could not surrender and furnish bonds withing the stipulated time, the court concerned should not have passed such order, without verifying the veracity.

7. Accordingly, the privilege, which was extended in favour of these petitioners, is further extended by modifying that order and the petitioners are directed to surrender before the learned Chief Judicial Magistrate, Motihari, East Champaran within a period of four weeks from today for furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran in connection with Dhaka P.S. Case No. 513 of 2023, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall who shall provide official document / personal affidavit 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 their bail bonds 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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