

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91073 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- Kachna District- Katihar

-
1. Md. Samru @ Samru S/O Late Abdul Salam @ Salam
 2. Md. Asif @ Asif Son of Sohrab Ali @ Belai
Both are Resident of village- Khidki Tola, Jokalbari, P.S. Kachna, District-
Katihar.
 3. Md. Pocha @ Md. Pacha Son of Late Kalthu @ Dabiruddin Resident of
village- Bighor Haat. P.S. Kachna., District-Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Tahmeed Helal, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 04-02-2026 Heard Mr. Md. Tahmeed Helal, learned counsel
appearing on behalf of the petitioners and Mr. Ram Anurag
Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Kachna P.S. Case No. 59/2025 registered for the offence(s)
punishable under Sections 191(2), 190, 132, 115(2), 109, 49, 54,
324(4), 352 and 351(2)(3) of the BNS.

3. As per the allegation made in the FIR, the accused
persons named in the FIR including 50-60 unknown persons
created rucks in the premise of the police station and pressurized
the police personnel to release one Md. Sultan, who was taken



into custody in connection with a case. The accused persons assaulted the police personnel, causing injury to them.

4. Learned counsel appearing on behalf of the petitioners submitted that besides the omnibus nature of allegation against 25 named accused, as well as, 50-60 unknown persons, there is no specific accusation against the petitioners of causing any overt act. Similarly situated co-accused persons have also been granted pre-arrest bail by different co-ordinate Benches of this Court *vide* order dated 23.12.2025 passed in Cr. Misc. No.84301 of 2025 and order dated 03.02.2026 passed in Cr. Misc. No.85907 of 2025.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well, having perused the allegation made in the FIR and also the fact that similarly situated co-accused persons have already been granted pre-arrest bail by different co-ordinate Benches of this Court, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or



surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- 1st, Katihar / Concerned Court in connection with Kachna P.S. Case No. 59/2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

U		T	
---	--	---	--

