

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91377 of 2025

Arising Out of PS. Case No.-109 Year-2025 Thana- DAGARUA District- Purnia

Mistar @ Md. Mistar Son of Abdul Gaffar Sah R/o Village - Jiyanganj, P.O. -
Mathopa, P.S. - Kasba, Distt. - Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Dagarua P.S. Case No.109 of 2025, registered for the
offence under Sections 308(5), 3(5) of BNS.

3. As per prosecution case, on 26.03.2023, around
12:20 P.M. informant crossing NH-31 on his vehicle. Near
Lasanpur bridge, one black colour motorcycle overtook his
vehicle and made him stop. Accused person threatened and
assaulted the informant and took Rs.2000/-, from his pocket and
further took him to ATM machine and withdraw Rs.3000/-, from
his account and drop the informant near Salami Chawk
Dagarua. When the informant make noise, nearby people
gathered and one accused person on motor cycle was caught,
stated his name as Bhanu Pratap, and disclose the name of co-



accused, Mistar. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in the present case and also is a man of clean antecedent. Learned counsel for the petitioner further submits that petitioner was not apprehended on the spot and that his name has come on the basis of confessional statement of the co-accused.

5. The learned APP opposes the anticipatory bail application.

6. Considering the fact that the petitioner was not apprehended on the spot and that his name has come on the basis of confessional statement of the co-accused, which has no evidentiary value and also taking into account that the petitioner has disclosed that he is a man of clean antecedent having no criminal history against him, I am inclined to grant the privilege of anticipatory bail to the petitioner.

7. Accordingly, the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned Smt. Srigdha,
Judicial Magistrate, Ist Class, Purnea in connection with
Dagarua P.S. Case No.109 of 2025, subject to the conditions laid
down under Section 482(2) of the Bhartiya Nagarik Suraksha
Sanhita.

(Alok Kumar Sinha, J)

Prakash Narayan

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