

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-I, GAYA
ANTICIPATORY BAIL PETITION No. 1897/2026

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1. Md. Arbaz @ Arbaz Shakil
2. Md. Aftab @ Md. Aftab Shakil Both S/o Shakil Khan
Both R/o Village-Bhaluahi, Tarwan, P.S.- Wazirganj,
District- Gaya

----- Petitioners

VERSUS

The State of Bihar

----- Opposite Party

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24.07.2026

This anticipatory bail application has been filed on behalf of above named accused/petitioners, who are apprehending their arrest, in connection with **Fatehpur P.S. Case No. 121/2026**, for the offences registered **U/s. 191(2), 190, 126(2), 115(2), 110, 352, 351(2)(3) of the B.N.S., pending in the Court of Ld. C.J.M., Gaya.**

2. Heard both the sides on the bail application.

3. Learned defence counsel submitted that prior to this, the petitioners have not filed any anticipatory bail petition before this Court or the Hon'ble Patna High Court. It is further submitted that petitioners are innocent, committed no offence and have falsely been implicated in this case. Present case is the counter blast of the earlier case lodged by the petitioner No. 2 bearing Fatehpur P.S. Case No. 120/2026. There is no specific allegation of assault on the petitioners. Lastly he submitted that petitioner no. 1 having one criminal antecedent Vide Wazirganj P.S. Case No. 464/2024 and petitioner no. 2 has two criminal antecedents vide Wazirganj P.S. Case No. 464/2024 and Wazirganj P.S. Case No. 287/2023. Hence, it is prayed for grant the privilege of anticipatory bail to the accused petitioners.

4. Per contra the Ld. A.P.P. appeared on behalf of State opposed the prayer for anticipatory bail.

5. Prosecution case, in brief, as per informant is that on 03.03.2026 at about 4.10 P.M. he along with other persons were going to brick kiln, in the mid way, all the accused persons were hiding near karbala and the moment they reached there accused persons armed with weapons started assaulting and then Md. Aftab took revolver from his waist and assaulted Sahzad Khan on the head by the butt of revolver and started making indiscriminate firing. It is further alleged that Md. Arbaz armed with iron rod started assaulting and on such Sahzad sustained injuries and then Md. Azmal started making firing with rifle and Md. Amjad Khan was armed with lathi and danda

and he also started assaulting. It is further alleged that Shakil Khan, Manaana Khan and Mukhtar Khan all are armed with rod, lathi and Farsa and they assaulted the informant and due to which, he sustained injuries on his head, chest and also on his back.

6. Heard both the parties and perused the material available on record. From perusal, it appears that petitioners are named in the F.I.R. The allegation against the petitioners is that they along with other co-accused persons assaulted informant and other persons and caused them injuries. There is case and counter case between the parties and in the scuffle both parties have received injuries. Injury report of both injured persons are attached with the case diary which are simple in nature. Ld. Counsel for petitioners who appeared in counter case of this case i.e. Fatehpur P.S. Case No. 120/2026 and stated that he has no objection if anticipatory bail of this accused petitioners are granted by this Court. Petitioner no. 1 admitted to have one criminal antecedent and petitioner no. 2 admitted to have two criminal antecedents vide para 03 of their bail petition.

7. Considering the aforesaid facts and circumstances of the case and other materials on record, this court thinks it fit to grant the privilege of anticipatory bail to the petitioners. Accordingly, it is directed that in the event of their arrest or surrender before the Ld. Court below within a month from the date of this order, the petitioners shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of like amount each subject to the all conditions stipulated u/s. 482 of BNSS.

(Dictated)

Sd/-

(Shashi Kant Ojha)
Addl. Sessions Judge-1, Gaya
24.07.2026