

**IN THE COURT OF SESSIONS JUDGE,
KAIMUR AT BHABHUA
(ABP No. 2373/2025/ Filing No. 9899/2025)**

In re:

1. Farookh Rahmai, aged 28 years,
S/o Akhtar Rahmani
2. Jahiruddin Rahmani, aged 50 years,
S/o Sadik Rahmani,
Both R/o Vill- Kone, P.S.- Kone, Dist- Sonebhadra (UP)

V/s

STATE

FIR No: 71/2025

P.S : Adhaura

U/s: 137(2),307,3(5) BNS

Date Of Order: 10.04.2026

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1. Heard Sri Pramod Kumar, learned counsel appearing on behalf of the accused/petitioners and Sh. Sachidanand Rai, learned P.P. for State.
 2. Petitioners have stated in para 2 of their bail petition that no other bail petition, either anticipatory or regular has been filed/pending except this, either in this court or before Hon'ble High Court at Patna.
 3. Denying involvement of the petitioners in the commission of alleged occurrence, it is submitted on their behalf that the petitioners have no concern either with the informant or with the alleged occurrence. Moreover, none has seen the petitioner committing the alleged occurrence nor the petitioners are named in the FIR rather the name of the petitioners have surfaced in course of investigation but no incriminating article has yet been recovered from the possession of the petitioners.
 4. Learned PP has opposed the prayer for anticipatory bail to the petitioners.
 5. Heard the arguments of both the parties and perused the case record. It transpires from the perusal of record that FIR against unknown. The name of these petitioners were surfaced during investigation as mentioned in para 54 of case diary. Allegations as per FIR are that on dated 06.08.2025 at around 02:00PM, the informant along with his cousin brother went to village Gamahariya for grazing of their sheeps and he returned back to collect ration leaving behind his brother and till late evening his

brother did not return back and when he searched, he found both his cousin brother and 200 sheeps were missing. It transpires from perusal of para 22 of case diary that the dead body of the cousin brother of informant was found and the stolen sheep was also recovered as mentioned in para 99 of case diary. It is submitted on behalf of prosecution that these petitioners were also involved in the killing of cousin brother of informant and stealing the sheeps. However, the Ld. Counsel for petitioner submitted that petitioner no. 1 is the owner of impugned vehicle bearing registration no. UP 65LT 3993 and the pick up was driven by one Rahul Kumar Bari on the alleged date of occurrence as mentioned in para 61 of case diary. It is further submitted that petitioner no. 2 is the owner of another vehicle bearing registration no. UP64 BT4098 and the vehicle was driven by his son Irfan Rahmani on the date of occurrence. It is further submitted that from perusal of entire case diary, the only material against these petitioners are that they are the owner of impugned vehicles through which the stolen sheeps were transported. Petitioners have no criminal antecedent as mentioned in para 36 of supplementary case diary.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail petition is **allowed** and in the event of their arrest or surrender within two weeks from the date of receipt of a copy of this order, these petitioners shall be released on bail on their furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of trial court, subject to conditions as laid down u/s 482 of the BNSS. (Dictated)

Sd/- Anurag
Sessions Judge