

IN THE COURT OF DISTRICT & ADDL. SESSIONS JUDGE-III, KATIHAR
ANTICIPATORY BAIL PETITION No. 350/2026
(Arising out of Mansahi P.S. Case No. 22/2026)

Md. Ishaque and Others

... Petitioners

Versus

The State of Bihar

... Opposite Party

Ld. Counsel for the Petitioner:-

Sri Shambhu Prasad Mandal, Advocate

Ld. Counsel for the State :-

Sri Shiv Narayan Singh, APP

Date of hearing/Disposal: 22.04.2026

ORDER

An anticipatory bail petition has been filed on behalf of the accused petitioners namely (1) Md. Ishaque, S/O Late Ganimat Miya, (2) Md. Rizwan, S/O Md. Ishaque, (3) Md. Muntasir, S/O Md. Ishaque, (4) Md. Aryan, S/O Mukdan, (5) Zahid Raja, S/O Md. Shiddique, (6) Md. Shahid, S/O Md. Shiddique, (7) Md. Rauf, S/O Md. Subhan and (8) Saddam Hussain, S/O Noor Mohammad who are apprehending their arrest in connection with Mansahi P.S. Case No. 22/2026 for the offences registered U/S 115(2), 118(1), 117(2), 109, 303(2), 352, 351(2), 351(3), 3(5) of BNS The copy of the same has already been duly served to the Ld. Addl. P.P. for the State.

Heard the Ld. counsel for the petitioners and the learned A.P.P. for the State.

The Ld. counsel of the petitioners have submitted that earlier, no B.P. or A.B.P. on behalf of the accused petitioners have been filed or moved before this court or before the Hon'ble High Court, Patna. The petitioners are innocent and they have not committed any offence at all and have been falsely implicated in this case due to land dispute. That the petitioner no. 1 and 2 are involve in Mansahi P.S. Case No. 154/2023, U/s 341, 323, 379, 504, 506/34 of IPC who were on bail and Petitioner No. 3 to 8 have got no any criminal antecedent and they have clean antecedent. That no incriminating article was recovered from the possession of the accused petitioners. That the offence levelled in the FIR is not made out against the petitioners as there is no independent eye witness of the occurrence. That there is no any specific allegation have been levelled against the petitioners. Petitioners are ready and willing to abide by the terms and conditions laid down by this court. Petitioners are ready to furnish local and solvent bailors to the court satisfaction. Accordingly, prayed to grant bail.

On the other hand, the Ld. Addl. P.P. vehemently opposed the prayer of anticipatory bail filed on behalf of the above named accused petitioners and submitted that the petitioners have committed the alleged offence under well planned manner. Hence, it is requested to reject the petition of the above named accused petitioners.

The case of the prosecution, in brief, is that on 20.01.2026 at about 03:00 PM, a dispute arose during land measurement. Md. Nazim and Md. Muntaseer abused and threatened him. Later, they along with several others attacked him and

his companions. Md. Nazim pointed an illegal firearm at him and threatened to kill. They also snatched Rs. 45,000/- from his nephew and fled. Hence, the present case.

Heard the Ld. Counsel of both the parties and perused the case diary. The instant Mansahi P.S. Case No. 22/2026 has been registered U/S 115(2), 118(1), 117(2), 109, 303(2), 352, 351(2), 351(3), 3(5) of BNS The petitioners are named accused of the FIR, and there are general and omnibus allegations against these petitioners. There is land dispute between the parties and for the same day incident, both the parties have filed case and counter case against each other. The main allegation is against accused Md. Nazim who is not petitioner in this case. Though the injury has been found grievous in nature, but the main allegation is against Md. Nazim. The petitioner No. 1 and 2 have clean antecedent, but rest petitioners have not any criminal antecedent. They are ready to cooperate into investigation and trial of the present case. There is no chance of absconding or tampering with the evidence by these petitioners.

Hence, considering the above facts and circumstances of the case, the present anticipatory bail petition of the above named accused petitioners are hereby **allowed** and the petitioners in the event of their arrest or surrender **within four (4) weeks of this order**, shall be admitted to bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the court.

(Sd/-)

D.A.S.J.-III, Katihar
22.04.2026