

Amdabad P.S. Case No. 237/25

U/S 191 (2), 191 (3), 190, 126 (2), 127 (2), 115 (2), 109, 331 (5), 132, 121 (1), 121 (2), 309 (5), 307, 352, 351 (2), 351 (3), 61 (2), 125 (b), 137 (2), 324 (5) of B.N.S.

Accused Name- Tarik and Soyeebur

P.O.-Asutosh Rai, A.S.J.-II, Katihar

A.B.P. NO. 532/2026

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IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-II

DISTRICT-Katihar
(A.B.P. No. 532/2026)

In the matter of

1. Tarik aged about 35 years, S/o Abdur Gaffar @ Gaffur

2. Soyeebur aged about 47 years, S/o Majed Ali

Above both R/o- Vill- Jamra, Ratanpur, Bairia, P.S.- Amdabad, Distt.- Katihar.

.....Accused/petitioners.

Vs

State of Bihar.....Opposite Party.

Amdabad P.S. Case No. 237/25

U/S- 191 (2), 191 (3), 190, 126 (2), 127 (2), 115 (2), 109, 331 (5), 132, 121 (1), 121 (2), 309 (5), 307, 352, 351 (2), 351 (3), 61 (2), 125 (b), 137 (2), 324 (5) of B.N.S.

Ld. Advocate for petitioners- Shri Chandra Shekhar Pathak

Ld. A.P.P. for the State- Shri Md. Azaj Alam

ORDER

24.04.2026- This anticipatory bail petition has been filed on behalf of the accused-petitioners namely 1. Tarik and 2. Soyeebur who are apprehending their arrest in connection with aforesaid case.

Heard the Ld. counsel Shri Chandra Shekhar Pathak appearing on behalf of the petitioners and Ld. A.P.P. Shri Md. Azaj Alam on behalf of the state.

According to F.I.R., prosecution case in nutshell is that, informant to this case namely Amit Kashyap, A.S.I., Amdabad lodged a written report before S.H.O. Amdabad alleging therein that in the course of patrolling, he was at Amdabad Bazar along with other police personnels. At that time, one call was received on dial number 112 that one vehicle has met an accident at village Jamaipara. On such information, informant along with local Chowkidar and police personnels arrived at village Jamaipara then he saw there was a mob of four hundred to five hundred persons. On enquiry, informant came to know that two riders of motorcycle were going on and they have dashed to Abdul Rahman due to which he has got injured seriously and he has been taken to hospital for treatment. Informant has further alleged that with view to take into custody of aforesaid both motorcycle riders, he went into courtyard of Abdul Rahman then, he saw there are total two hundred persons were present either in house or outside of the said house. Informant has further alleged that when he inquired about the said two motorcycle riders then, accused person named in F.I.R. and other unknown persons got much furious. When informant told them that you are causing hindrance in the discharge of official duty then all F.I.R. named accused and other one hundred fifty unknown persons started abusing and scuffling with the police personnels and they also tried to snatch the rifle of police personnels. On protest, they also committed assaulting to the police

force and later on, they made lethal attack on police personnels and they also assaulted to the informant and Hitendra Kumar due to which head of Hitendra Kumar got cracked. Later on, Hitendra Kumar was treated in P.H.C. Amdabad.

It would be pertinent to mention herein, that during the investigation one accused namely Md. Karim was apprehended and in his confessional statement he stated about the involvement of present petitioners namely Tarik and Soyeebur in this alleged occurrence.

On the other side learned counsel for the petitioners has reiterated all the grounds taken in the bail petition and has submitted that the petitioners are innocent and they have committed no offence and their names have been surfaced during the investigation on the basis of confessional statement made by other accused. While, some other accused persons have already been granted pre-arrest bail by the Hon'ble High Court, Patna vide order passed in Criminal Miscellaneous Number 22402/26 and 15763/26 and case of present petitioners is on similar footing. Accordingly, it has been prayed to allow the instant anticipatory bail petition.

Per contra, Learned A.P.P. has vehemently opposed the prayer for anticipatory bail.

Heard both parties and perused the case record. From the perusal of the case record it is evident that present petitioners are not named accused of F.I.R. but their names have been surfaced in this case on the basis of confessional statement made by other accused. While, similar situated some other co-accused persons have already been granted pre-arrest bail by the Hon'ble High Court, Patna and the case of present petitioners is on similar footing.

So, having considered the above facts and submissions made by the Ld. Counsel for the petitioners, the instant anticipatory bail petition is hereby allowed and accordingly it is ordered to release the petitioners namely 1. Tarik and 2. Soyeebur on bail in the case of surrender/arrest within three weeks of this order on furnishing of bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court concerned subject to the condition as mentioned in the section 482 (2) of the B.N.S.S.

**Addl. Sessions Judge-II
Katihar**

Date of order	24.04.2026
Date of Reserving order	N/A
Uploading Date	28.04.2026
Uploaded By	Harshit Raj, Steno, DASJ-II, Katihar