

**Court of Additional Sessions Judge I, Jhanjharpur**

**A.B.P. No-541/2026**

(Narahiya P.S case No- 73/2024)

**Rahman Anshari @ Munish Miyan @ Md. Munsafi & other Vs. State of Bihar**

U/s-191(2), 191(3), 190, 126(2), 115(2), 127(2), 109, 132, 324(4) (5), 303(2), 221, 223, 224, 121(1), 61(2), 74, 352, 351(2) of the BNS & section 3 Prevention of damage to Public Property Act 1984.

**Pending in the Court of Sri N. Kamran JMFC, Jhanjharpur.**

| S.N | Date of order     | Order with signature                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Office notes as to action taken |
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|     | <b>16.07.2026</b> | <p>1. This anticipatory bail petition has been filed on behalf of accused namely</p> <p><b>1. Rahman Anshari @ Munish Miyan @ Md. Munsafi &amp; 2. Md. Ijhar Miyan</b>, seeking pre-arrest bail in connection with Narahiya P.S case No- 73/2024, U/s- U/s- 191(2), 191(3), 190, 126(2), 115(2), 127(2),109, 132, 324(4) (3), 303(2), 221, 223, 224, 121(1), 61(2), 74, 352,351(2) of the BNS and Section 3 Prevention of damage to Public Property Act 1984.</p> <p>2. Heard <b>Sri Rajdeo Yadav</b>, Ld. Advocate on behalf of petitioners and <b>Sri Indrakant Prasad</b>, learned APP on behalf of state.</p> <p>3. Ld. Counsel <b>Sri Rajdeo Yadav</b> on behalf of the petitioner has submitted that earlier no other bail petition either regular or anticipatory has been filed either before this Ld. Court or before Hon'ble High Court Patna and petitioner has no criminal antecedent. It is further submitted that petitioners are quite innocent and have not committed any offence and petitioners have falsely been implicated in this case due to land dispute and mere suspicion and prosecution story is totally false, concocted, baseless and absurd. It is also submitted that no occurrence as alleged did ever took place and alleged all sections are bailable except U/s 109, 132,</p> |                                 |

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| <b>Contd.<br/>16.07.2026</b> | <p>303(2), 121(1), 74 of the BNS and allegation against the petitioners is vague and false and there is no any specific allegation against the petitioners. It is also submitted that nothing has been recovered from the possession of the petitioners and other many co-accused have been already granted anticipatory bail vide ABP No. 910 /24, dt. 02.05.2025. Lastly it is submitted that petitioners are apprehending their arrest in this case, and ld. Counsel prays to enlarge the petitioners on anticipatory bail.</p> <p>4. The learned APP <b>Sri Indrakant Prasad</b>, opposed the petition and prayed to reject it.</p> <p>5. The prosecution case in brief goes like this, Informant of this case has filed a written application before SHO Narahiya, stating therein that vide letter No. 220/2024 dt. 25.09.2024 and letter No. 222/2024 dt. 26.09.2024 of SDM Phulparas, informant along with other police personals and circle officer Ghogardiha reached at Sakhuwa Parti field on 28.09.2024 at about 11:05 AM for law and order at construction place of +2 Kanya Urchha Vidyalaya. In the meantime three hundred peoples including men and women armed with Lathi Danda, Stone and iron rod came and made protest and started abusing them. When the police team requested to make peace and wanted to make aware of order of SDM Phulparas but all the accused persons forcibly stopped construction work</p> |  |
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| <b>Contd.<br/>16.07.2026</b> | <p>and started pelting stone on police personals due to which chaukidar Mukesh Paswan got injured. Accused. Muana Miya, Jalil Miyan, Nausad Miyan, Aajad Miyan, Khalil Miyon, Chhotu Miyan, came and started abusing and assaulted the police party and try to snatch arms from the possessions of the police team. It is further stated that the accused Munna Miyan assaulted constable Brajesh Kumar by means of iron rod on his head. It is further stated that the accused persons also took away article of the labourer and mistri and threatened the Informant. Hence, this case.</p> <p>6. Heard both sides at length and perused the case record along with case diary available, from perusal of the record it transpires that, on the basis of application given by informant namely Amit Kumar Executive Magistrate Phulparas before SHO Narahiya P.S., this very case has been registered U/s- 191(2), 191(3), 190, 126(2), 115(2), 127(2), 109, 132, 324(4) (5), 303(2), 221, 223, 224, 121(1), 61(2), 74, 352, 351(2) of the BNS and Section 3 the Prevention of damage to Public Property Act 1984, against these petitioners accused along with 55 known accused and 250 unknown accused persons including males and females. As per allegation, it is alleged that petitioners accused were the members of unlawful assembly and it is alleged that the petitioners have assaulted on head by means of iron rod to constable Brajesh Kumar, resulted he</p> |  |
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| <b>Contd.<br/>16.07.2026</b> | <p>sustained head injury. From perusal of the injury report it appears that the said constable sustained head injury and he was referred to DMCH Darbhanga but from perusal of para No. 154 of the case diary, the injured himself stated that he did not go to DMCH and after CT Scan no any grievous injury is found rather he get well after taking some mild medicines and on demand, no any kind of chit of paper with regard to treatment has been produced by the victims Brajesh Kumar and petitioners have got clean antecedent.</p> <p>7. Therefore, considering the aforesaid facts as discussed above and clean antecedent of petitioners, in the event of their arrest or surrender before the Ld. Court below within a period of 21 days from receipt of this order, the petitioners namely <b>1. Rahman Anshari @ Munish Miyan @ Md. Munsafi &amp; 2. Md. Ijhar Miyan</b>, be enlarged on bail on furnishing bail bond of <b>Rs. 10,000/- with two sureties</b> of the like amount each to the satisfaction of Ld. Court below, as condition laid u/s 482 of BNSS,</p> <p style="text-align: right;">Dictated and Corrected<br/>Sd/-<br/>(Sushil Kumar Dixit)<br/>Addl. Sessions Judge-Ist<br/>Jhanjharpur.</p> <p style="text-align: center;">Memo No..... Date.....</p> <p>Copy of order be forwarded to the Court of <b>Sri N. Kamran JMFC., Jhanjharpur</b> for information and needful.</p> |  |
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|  |  |  | (Sushil Kumar Dixit)<br>Addl. Sessions Judge-Ist<br>Jhanjharpur. |  |
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