

IN THE COURT OF SESSIONS JUDGE, PATNA

Anticipatory Bail Petition No.1813 of 2026.

Md. Adil Imam @ Adil Malick

..... **Petitioner.**

**Versus
The State of Bihar**

**Order
No.**

Date

O R D E R

04 04-06-2026

- 1.** The **petitioner, Md. Adil Imam @ Adil Malick**, seeks anticipatory bail in connection with **Phulwarisharif P.S. Case No. 1519 of 2025**, registered under Sections 115(2), 126(2), 303(2), 308(3), 351(2), 351(3), 352 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).
- 2.** Heard Sri Tanweer Ahmad, learned counsel for the petitioner and Sri Rajesh Kumar, learned Public Prosecutor for the State.
- 3.** The prosecution case, as narrated by the **informant Abdul Qadir** is that on 08.09.2025 at about 01:45 PM, when he opened the main door of the school and stepped outside, he was confronted by four individuals, including the petitioner and three unknown persons. It is alleged that they pulled him by the collar, abused him, assaulted him with kicks, attempted to kill him by throwing him down and strangulating him, and further snatched a gold chain weighing one tola along with his purse containing approximately Rs. 2,500 and other important documents. They allegedly threatened to kill him and demanded Rs. 10 lakhs as extortion money from his employer, warning that otherwise they would not allow the school to function and would kill both him and his employer.
- 4.** Learned counsel for the petitioner submits that the only non-bailable offence for which anticipatory bail has been sought is under Section 303(2) BNS, which carries a maximum punishment of five years and is triable by a Magistrate. It is further argued that the allegation of assault, snatching, and extortion are general and omnibus in nature. Moreover, while the alleged incident occurred on 08.09.2025, the FIR was lodged belatedly on 14.09.2025 and forwarded to the Court only on 05.01.2026, thereby raising suspicion of antedating. Learned counsel also contends that the

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case has been falsely instituted as a counterblast to a Sanha filed by the petitioner on 11.09.2025. The petitioner is stated to have clean antecedent.

5. The learned Public Prosecutor for State opposes the prayer for anticipatory bail of the petitioner.
6. Pursuant to order dated 02.05.2026, whereby this Court had requisition for case diary from the Investigating Officer, a report was received by the Investigating Officer where he has stated that the investigation is over and charge sheet has been submitted. Accordingly, vide order dated 20.05.2026, this Court had called Trial Court Record which is available. Upon perusal of the Trial Court Record, it transpires that charge sheet has been submitted against the petitioner as well as co-accused Abu Talib for offences under section 126(2), 115(2), 352, 351(2), 351(3) read with section 3(5) of the BNS. It is evident that all the offences for which the charge sheet has been submitted are bailable in nature and as such, there is no apprehension of arrest of the petitioner and the anticipatory bail application would not lie.
7. Under such circumstances, the present anticipatory bail application is ***dismissed as not maintainable***.
8. However, the petitioner is at liberty to approach this Court for anticipatory bail as and when apprehension of arrest arises.

(Dictated)

Sd/-

(Rupesh Deo)
Sessions Judge, Patna

Date of Order	04-06-2026
Date of Reserving Order	NA
Uploading Date	04-06-2026
Uploaded by	Rahul/-