

In the Court of Principal District & Sessions Judge, Samastipur

A.B.P No. 1536 of 2026

(Arising out of Samastipur (M) P.S. Case No. 100 of 2026)

Md. Maroof, S/o- Md. Farooque

R/o Vill - Jitwarpur Chouth, Ward No.18, P.S – Samastipur (M),

District - Samastipur

...Petitioner

Vrs.

The State of Bihar

...Opposite Party

Presiding Officer: Sri Samir Kumar, Sessions Judge, Samastipur

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11.06.2026 Heard Sri. Phool Hasan, learned counsel appearing on behalf of the accused/petitioner and Sri Shiv Kumar Prasad, learned P.P for the State on the anticipatory bail petition of accused/petitioner named above, who apprehends his arrest in connection with Samastipur (M) P.S. Case No.100 of 2026 registered under Sections 126(2), 115(2), 109(1), 329(3), 352, 351(2), 3(5) of the B.N.S and Section 27 of the Arms Act.

As per F.I.R, allegedly there was fight in between the children in the morning of 02.03.2026 thereafter, the villagers pacified the matter and sent the children to their homes. It is also alleged that when the informant was washing his cloth then at about 4:35 P.M petitioner alongwith other co- accused persons came to his house with arms from backside and started abusing thereafter, on hearing alarm female member came out from her house then she saw that co-accused Md. Sohrab was having pistol in his hand and other accused persons including petitioner were having Lathi and

Danda in their hands and seeing the accused persons the informant went to his house and hide himself and in course of it co-accused Md. Sohrab opened fire which hit on the back gate of informant's house. It is further alleged that hearing the sound of firing nearby people came there then accused persons started fleeing away from there after giving threatening and in course of it stone pelting was also done upon the informant's house and one of the bricks hit to wife of informant's brother on her left hand, causing injury and one Masroor Alam, who is cousin brother of informant has found one bullet tip and later on handed over to police.

The Ld. Counsel appearing on behalf of the petitioner submitted that petitioner is an innocent person and he has committed no offence and he has falsely been implicated in this case. Further submitted that entire allegation levelled against the petitioner is false, frivolous, baseless and concocted. Further submitted that all the Sections of the BNS are bailable in nature except Section 109(1) BNS which are not attracted against the petitioner and allegation of 27 Arms Act is concerned bullet tip was recovered by the informant's brother and handed over to police is not applicable. Ld. Counsel further submitted that the reason behind the lodging of present case is that petitioner and his family members were assaulted by the informant and others and also made opened fire for which mother of petitioner has lodged Samastipur (M) P.S Case No. 101/206 and present case has been lodged only with a view to counter blast the case of petitioner's mother. Further submitted that co-accused Md. Sohrab @ Tauhid Alam and Md. Bablu @ Mohammad Tauquir Alam have already been granted anticipatory bail by Hon'ble High Court and case of the petitioner is on lessor footing. Ld. Counsel lastly submitted that petitioner

has got no criminal antecedent so, petitioner may given the benefit of anticipatory bail.

The Ld. P.P has vehemently opposed the prayer for anticipatory bail.

On perusal of the record, it appears that co-accused Md. Sohrab @ Tauhid Alam against whom the allegation is open fire with pistol has already been granted anticipatory bail by Hon'ble High Court and allegation against this petitioner is omnibus in nature and this petitioner and others were carrying Lathi and Danda in their hands. Further petitioner claims to have no criminal antecedent.

Considering the aforementioned facts, let the anticipatory bail petition of petitioner named above be allowed and it is directed that in the event of his arrest or surrender before the court below he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount to the satisfaction of the learned court below.

(Dictated)

Sessions Judge

Date of Judgment / Order	11.06.2026
Date of Reserving Judgment / Order	11.06.2026
Uploading Date	12.06.2026
Uploaded by	Ashish Kumar