

**In the court of Sh. Azhar Alam, District and Additional Sessions Judge IX,
Sitamarhi.**

A.B.P. No. 121 of 2026, order dated 21.04.2026

**In The Court of SH. AZHAR ALAM, District and
Addl. Sessions Judge IX, Sitamarhi.**

**Anticipatory Bail Petition No. - 121 of 2026
(Arising out of Complaint Case No.- 830/2023)**

Belal Sah @ Md. Belal Sah & Ors.....Petitioners.

Versus

State of Bihar.....Opposite Party.

For the petitioners:-

Sh. Shambu Rai, Ld. Advocate.

For the State:-

Sh. Harimohan Jha, Ld. Addl. P.P.

O R D E R

Dated:- 21.04.2026

1. This A.B.P. has been filed on behalf of the petitioners, namely, **1. Belal Sah @ Md. Belal Sah, 2. Betab Sah @ Md. Betab Sah, 3. Saida Raza @ Md. Saida Raza, 4. Mostasir Alam @ Md. Modashir Ahmed, 5. Mozmil Alam @ Md. Mozmil, 6. Yasin @ Gulam Yasin** in connection with Complaint Case No.- 830/2023 registered u/s- 406, 420, of IPC.

2. As per prosecution case the brief fact is like that, the complainant has filed a complaint case before the Ld. Trial Court against the accused persons whose name are mentioned in the complaint for criminal breach of trust and cheating against him upon which the Ld. Trial Court has conducted inquiry and took cognizance u/s 406, 420 of IPC against the petitioners and issued summons against them. Then petitioners approached to this court by way of present petition.

3. The Ld. Counsel for petitioners argued that petitioners are innocent and they are falsely implicated in the present matter due to bad village politics and ulterior motive. He again further submitted that petitioners have strong apprehension of arrest in this case. He further submitted that petitioners are ready to appear and co-operate in the trial and will abide any

**In the court of Sh. Azhar Alam, District and Additional Sessions Judge IX,
Sitamarhi.**

A.B.P. No. 121 of 2026, order dated 21.04.2026

terms and conditions which this Court will impose while granting the anticipatory bail.

4. Ld. APP for the State strongly opposed the prayer of the bail on the ground inter alia that the offences in which punishments are within the seven years and there is no any apprehension of arrest and as such the present petition is not maintainable.

5. Argument of the both side heard, and record perused. It reveals that the complaint case bearing No. 830/23 was filed by the complainant against the petitioners. It further reveals from the record that after conducting inquiry the Ld. Trial Court has issued summon against the petitioners. It further reveals from record that the fact reflects a civil dispute. It further reflect that the offences for which summon has been issued by the Ld. Trial Court are related with the documentary evidence and there is little chances of manipulation and petitioners are also ready to appear and co-operate in a trial. As per the guidelines laid down by the Hon'ble Apex Court in Case of **Gurbaksh Singh Sibbia Vs State of Punjab AIR 1980 S.C. 1632**, the Hon'ble Apex Court held that *bail is a rule and jail is an exception* and further held after considering the facts and circumstances of the Case, gravity of the offences and the impact on the society in case of bail, these all factor looked into while granting the bail. Further, the proximity of arrest in a case where it prima facie allegation is general in nature. After perusal of the record and looked into all the facts and circumstances, perusal of the record and submission of the parties of the present case.

6. This Court is inclined to extend the privilege of anticipatory bail to the petitioners, namely, **1. Belal Sah @ Md. Belal Sah, 2. Betab Sah @ Md. Betab Sah, 3. Saida Raza @ Md. Saida Raza, 4. Mostasir Alam @ Md. Modashir Ahmed, 5. Mozmil Alam @ Md. Mozmil, 6. Yasin @ Gulam Yasin** in connection with Complaint Case No.- 830/2023 u/s- 406, 420, of IPC is hereby **allowed** with direction that in the event of arrest or surrender of the petitioners they will be released on bail on furnishing bail Bond of Rs. 15,000/- with 2 sureties of the like amount each by each petitioner separately with the satisfaction of the SHO/Ld. Trial court subject to the conditions as laid down u/s 438(2) of Cr.P.C. At least one surety is from their family member/close relative. They will appear and furnish their bail bond before the Ld. Trial Court and co-operate in the trial if required. The prosecution has liberty to approach to the court for cancelation of bail in case of violation of the conditions or non-cooperation by the petitioner in the trial. Accordingly the present petition is disposed off as **allowed**.

**In the court of Sh. Azhar Alam, District and Additional Sessions Judge IX,
Sitamarhi.
A.B.P. No. 121 of 2026, order dated 21.04.2026**

The petitioners are directed they will not commit any similar or any other offence and they further directed to comply the conditions under sub-section 2 of Section 438 Cr.P.C. They further directed to appear before the Ld. Trial court on each and every effective dates and co-operate in trial. They further directed to furnish his bail bond before the Ld. Trial Court within fifteen (15) working days from today.

(Dictated & Corrected)

Sd/-

Dist. & Addl. Sessions
Judge IX,
Sitamarhi.
21.04.2026