

In the court of the 1st Addl. Sessions Judge, Sitamarhi.

Anticipatory Bail Petition No. 687/2026

Osamatul Waiz @ Asima,..... Petitioner.

Versus

State of Bihar O.P.

ORDER.

16.06.2026.

1. The present anticipatory bail application has been filed on behalf of the petitioner namely **Osamatul Waiz @ Asima**, in connection with Bela P.S. Case No. 222/2021, registered for the offences punishable Under Sections 147, 148, 149, 332, 333, 307, 353 and 427 of the I.P.C. Heard learned counsel for the petitioner and learned APP for the State.
2. The prosecution case, as alleged in the F.I.R., is that on 29.11.2021 during Panchayat Election duty, the informant, who was deputed as Zonal Magistrate, reached Kanhaon Panchayat Bhawan polling booth at about 4:00 P.M. and found a large gathering of 200-500 persons near the polling station. When the police patrol party attempted to disperse the crowd and maintain law and order, the mob allegedly became aggressive and attacked the administration by pelting bricks and stones, causing damage to the official vehicle and obstructing public servants in discharge of their official duties. On the basis of the said allegation, the present case was instituted against several named and unknown accused persons.
3. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is no specific allegation of assault or overt act against the petitioner. It is further submitted that the occurrence arose out of a general commotion during election duty and the petitioner has been implicated merely on suspicion. Learned counsel further submits that the petitioner has no criminal antecedent and that several co-accused persons, who are similarly situated, have already been granted anticipatory bail by the Hon'ble Patna High Court as well as by the learned Sessions Court. It is also submitted that no injury report discloses any injury attracting the ingredients of Section 307 I.P.C. against the petitioner. The petitioner undertakes to cooperate with the trial and abide by all conditions imposed by the Court.
4. Learned Special P.P. opposed the prayer for anticipatory bail.
5. Having considered the submissions of the parties, the nature of accusation, the fact that the petitioner has no criminal antecedent, absence of any specific overt act attributed to him, the allegation being general and omnibus in nature, and further considering that similarly situated co-accused persons have already been granted the

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privilege of anticipatory bail, this Court is inclined to extend the benefit of anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail is **allowed**.

6. Let the petitioner, namely **Osamatul Waiz @ Asima**, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below, in connection with Bela P.S. Case No. 222/2021, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Dictated & corrected)

Sd/-

(Rajiv Kumar),

District & Addl. Sessions Judge I,
Sitamarhi.

Dated:- 16.06.2026.