

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

Anticipatory Bail Petition No. 894/2026.

Mohammad Saif Ali & Others Petitioners.

Versus

State of Bihar O.P.

ORDER.

07.09.2026.

1. Heard, learned counsel for the petitioner, **1. Mohammad Saif Ali, 2. Ruby Khatun, 3. Mohammad Ashraf Ali, 4. Mohd. Parvez, 5. Mohammad Hifzurrahman, 6. Mohammad Mahfooz, and 7. Ashrafi Begum,** who are apprehending their arrest in connection with Bokhara Police Station Case No. 159 of 2026, registered Under Sections: 329, 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2) and 3(5) of the B.N.S. Also heard the learned Addl. P.P. for the State, the learned counsel for the informant.
2. The prosecution case, in brief, is that on 06.06.2026 at about 11:00 P.M., the applicants along with several unknown persons allegedly came in a vehicle and, in connection with a birthday celebration, played loud and vulgar songs and burst crackers and rockets, causing disturbance in the locality. It is alleged that when the informant objected to the same and requested the accused persons to maintain peace and reduce the volume of the DJ, the applicants abused and threatened him and thereafter assaulted him by means of kicks, fists and slaps. It is further alleged that on the following morning, i.e. 07.06.2026 at about 6:00 A.M., the applicants again came to the informant's house, abused and assaulted him and his family members, and that one of the accused persons along with others assaulted the informant's nephew with an iron rod, causing injury. Allegation regarding taking away of ₹10,500/- from the informant's pocket and extending threats has also been made.
3. Learned counsel for the applicants submits that the applicants are innocent and have falsely been implicated due to previous dispute and local/rural politics. It is submitted that the allegations against the applicants are general and omnibus in nature and there is no specific and distinct overt act attributed to each of the applicants. It is further submitted that there is a counter-version of the occurrence and the applicant Saif Ali has already instituted Bokhara P.S. Case No. 157 of 2026 in respect of the occurrence involving assault upon him and his family members. It is also submitted that the applicants have no criminal antecedent and there is no likelihood of their absconding or tampering with the evidence. The applicants undertake to cooperate with the investigation and to abide by all the conditions imposed by this Court.
4. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

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5. Considering the rival submissions, the nature of accusation, the fact that the allegations against the applicants are substantially omnibus/general in nature, the existence of a counter-case arising out of the same occurrence, the absence of any criminal antecedent of the applicants, and also considering the fact that the investigation can proceed without custodial detention of the applicants, this Court is of the view that the applicants have made out a case for grant of the privilege of anticipatory bail.

6. Accordingly, the anticipatory bail application is allowed. The applicants, namely: 1. Mohammad Saif Ali, 2. Ruby Khatun, 3. Mohammad Ashraf Ali, 4. Mohd. Parvez, 5. Mohammad Hifzurrahman, 6. Mohammad Mahfooz, and 7. Ashrafi Begum, shall be released on anticipatory bail on furnishing bail bonds of ₹15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each, to the satisfaction of the learned Court concerned, in connection with Bokhara P.S. Case No. 159 of 2026, subject to the conditions prescribed under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dictated & corrected)

Sd/-

(Rajiv Kumar),

District & Addl. Sessions Judge I,
Sitamarhi.

Dated:-07.09.2026.