

IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS

JUDGE-X, SIWAN

A.B.P NO-924/2026

Mairwa P.S. Case No-138/2026

Shahzad Hussain & Ors. Vs. The State of Bihar

Present: For the petitioners- Sri Rajesh Kumar Singh, Id. Advocate.

For the State of Bihar- Sri Satyadev Baitha, Id. APP.

Present- Ravindra Kumar Ray,

District and Additional Sessions Judge-X,

Siwan.

Order

13.05.2026

This anticipatory bail petition has been filed on behalf of the petitioners **(1) Shahzad Hussain @ Shahzad, (2) Neshar Nut @ Neshar** and **(3) Jamaluddin Ansari @ Jamalu** who are apprehending their arrest in connection with Mairwa P.S. Case No. 136/2026 registered u/s 126(2), 115(2), 324(4), 109, 303(2), 352, 351(2), 3(5) of BNS. Heard both the sides on bail petition.

The Id. Counsel appearing on behalf of the petitioners has submitted that no other bail application except this is pending before any other court and it is further submitted that the petitioners are innocent and have not committed any offence and they have falsely implicated in this case with ulterior motive. The Id. Counsel has further submitted that there is no specific allegations against the petitioners and petitioners have got no any criminal history. It is further submitted that the identification of the accused persons also doubtful and there is no chance of their absconding. Accordingly, the Id. Counsel has prayed to enlarge the petitioners on bail.

Continued.

13.05.2026 On the other hand the Ld. APP for state vehemently opposed the prayer of bail. Accordingly, the Id. APP has prayed that the bail petition filed on behalf of petitioners may be rejected.

Heard both the sides and perused the case record. From perusal of case record it appears that in this case the FIR has been lodged in connection with **Mairwa P.S. Case No. 136/2026** registered u/s 126(2), 115(2), 324(4), 109, 303(2), 352, 351(2), 3(5) of BNS. The prosecution story in brief as per FIR is that on 17.03.2026 at about 02:30-3:00 PM, while the informant returning towards Mairwa on his personal motorcycle after performing his regular Government duty, some local anti-social persons stopped him near village Farchua and assaulted him with the intention to loot and kill him. Due to the assault, he sustained serious injuries in different part of his body and his forehead was also injured causing him to become unconscious. Local villagers took him to Mairwa Hospital for treatment. The name of accused persons are Mohit Kumar, Neshar, Sehzaad and Jamalu during the incident, they also damages his motorcycle and snatched his I.D. from his pocket thereafter they fled from the spot.

From perusal of case record it appears that the accused petitioners are named accused of FIR. It further appears that there is no specific allegation against the petitioner to make any overt act and there is general and omnibus allegation against the petitioners. From perusal of Injury Report it appears that the injured has sustained only single injury over his forehead which has been found simple in nature caused by hard blunt object. The accused petitioners have clean antecedent.

Therefore, considering the aforesaid facts and circumstances, I am inclined to grant the privilege of bail to the petitioners.

Accordingly, the anticipatory bail petition filed on behalf of the petitioners **(1) Shahzad Hussain @ Shahzad, (2) Neshar Nut @ Neshar** and **(3) Jamaluddin Ansari @ Jamalu** is hereby **allowed** and it is directed that in the event of their arrest or surrender before the Id. Trial Court within 30 days from the date of receipt of this order, the petitioners will be released on anticipatory bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Id. trial court subject to the condition as laid down under section 482(2) of the BNSS.

Dictated

(Ravindra Kumar Ray)
D.A.S.J.-X,
Siwan.
Dated-13.05.2026

Date of Order	13.04.2026
Date of Reserving Order	NIL
Uploading Date	15.04.2026
Uploaded By	Ankit