

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53742 of 2026

Arising Out of PS. Case No.-265 Year-2026 Thana- HARSIDHI District- East Champaran

Azad Miya, Son Of Muzabi Miya @ Muzani Miya Resident Of Village-
Munshi Bazar Ward No. 6, P.S.- Harsidhi, District- East Champaran, Bihar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Ms. Kumari Akanksha Rai Mr. Sarvesh Kashyap Mr. Anant Kumar Mishra Mr. Deepak Kumar
For the Opposite Party/s :	Mr. Rabindra Kumar- A.P.P. Mr. Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-08-2026 1. Heard, Ms. Kumari Akanksha Rai, the learned
counsel for the petitioner, Mr. Rajesh Kumar, the learned
counsel appearing on behalf of the informant and Mr.
Rabindra Kumar, the learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 126(2), 115(2), 118(1), 109(1), 303(2) and 351(2)
of the B.N.S.

3. The learned counsel for the petitioner submits
that the petitioner has antecedent of one case and the
informant alleges that her son (Golu) on 15.05.2026 at 5.00



P.M. was going to get his motorcycle washed when he was intercepted by the accused persons including the petitioner. It is next alleged that accused persons assaulted him by knife causing injury on head. Further, her son was admitted in a hospital where he is under treatment and chances are that he may loose his eyesight, further accused persons also snatched his chain. It is next alleged that her family members were going to the house of the accused persons to enquire when on the way, named accused persons assaulted and fired, hence her family members fled. It is next alleged that accused persons have contact with Nepali criminals and they had earlier gone to jail.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that though there is allegation of assault by knife, but then the allegation is not specific. It is also submitted that from perusal of the injury report, it would manifest that wound is lacerated and not incised which amply demonstrates that injured was not assaulted by knife, but in order to give



seriousness to the case, it is falsely alleged by the informant that assault was made by knife when the injury has been opined to be simple in nature caused by hard and blunt substance. It is next submitted that though informant alleges that accused persons have nexus with Nepali criminals, but then petitioner has antecedent of one case only under Section 414 I.P.C. It is further submitted that uncle of the petitioner namely, Javed Hussain instituted Harsidhi P. S. Case No.513 of 2025 against the informant and others, as such, the petitioner came to be implicated in the instant case with general and omnibus allegation in order to coerce his uncle into submission.

5. Learned A.P.P. as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that the wound is lacerated and not incised and has been opined to be simple and uncle of petitioner has instituted Harsidhi P. S. Case No.513 of 2025.

6. After hearing the learned counsel for the parties and taking into consideration the submission made by the



learned counsel appearing on behalf of the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with Harsidhi P. S. Case No.265 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

