

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11061 of 2025

Arising Out of PS. Case No.-174 Year-2023 Thana- BAHERA District- Darbhanga

Md. Shabir @ Md. Sabir Khan @ Sabir Khan Son Of Late Moti Khan @
Moti Miyan Resident Of Village-Basuhum Ward No.8, P.O-Bahera, Benipur,
P.S-Bahera,District-Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar Thakur, Adv.

For the Opposite Party/s : Mr. Ajit Kumar, APP.

Md. Mahtab Ali Alammanour, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioner, learned A.P.P. for
the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in connection with
Bahera P.S. Case No. 174 of 2023 registered for the offences
punishable under Sections 147, 148, 149, 323, 325, 308, 384,
386, 504 of the Indian Penal Code.

3. Allegedly, all the FIR named accused persons including
the petitioner are said to have assaulted the informant's side
brutally by means of deadly weapons due to which they have
sustained injuries.

4. It is submitted by learned counsel for the petitioner that
the petitioner is quite innocent and has committed no offence. No
such occurrence as alleged has ever taken place. He has falsely



been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. Nothing specific has been attributed against him. There is admitted land dispute between the parties for which several title suits are pending between them. Both sides have filed cases against each other. Learned counsel further submits that petitioner has four criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail. Learned counsel for the informant submits that there is specific overt act against the petitioner to assault the informant's father by means of iron rod causing him grievous injury on his nose. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the facts and circumstances of the case as well as the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.

(Anjani Kumar Sharan, J)

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