

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13554 of 2025

Arising Out of PS. Case No.-453 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

=====

Shekh Shabbir @ Shabbir Ahmad, Son of Late Izhar Hussain, Resident of
Village- Siswa, P.S.- Banjariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 19-04-2025 Heard Abhishek Kumar, learned counsel for the

petitioner and Mr. Rana Randhir Singh, learned APP for the

State.

2. The petitioner apprehends his arrest in
connection with Town P.S. Case No. 453 of 2023 dated
28.06.2023 registered for the offences punishable under sections
147, 148, 149, 341, 323, 307, 385, 504 and 506 of the Indian
Penal Code and section 27 of the Arms Act.

3. The main submissions advanced by learned counsel
appearing for the petitioner are that the FIR of the present
matter was lodged by the informant on 28.06.2023 pursuant to a
written application, however, it is pertinent to note that two days
prior thereto, the petitioner had already instituted FIR bearing



Sadar Town P.S. Case No. 449 of 2023, alleging that he was subjected to a serious assault significantly the said FIR contains specific allegation against the informant in the present case and only thereafter, the present matter was registered and in the entire FIR, no explanation regarding the delay of two days in lodging the FIR was given by the informant. It is further submitted that if the contents of the FIR of the present matter as well as the FIR of the petitioner are taken into account then a land dispute in between both the parties clearly appears, which was the main reason of the present occurrence. It is lastly submitted that the petitioner is alleged to have assaulted the brother-in-law of the informant whose injury report has been filed with this petition as Annexure- '3' which shows that he sustained two simple injuries.

4. Learned counsel appearing for the APP has vehemently opposed the prayer of the petitioner and submits that against the petitioner, there is specific allegation of having assaulted the informant's brother in law.

5. In the facts and circumstances of this case as well as considering the aforesaid submissions advanced by petitioner's counsel coupled with the fact that the FIR of the present matter was lodged two days after the registration of the



FIR of the petitioner and also taking into account the nature of the injuries of the injured, who is said to have been assaulted by this petitioner, in my opinion, it is a fit case to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Town P.S. Case No. 453 of 2023, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

Saurav/-

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

