

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31405 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- SIKARPUR District- West Champaran

Asrarul Haque @ Saheb Miyan S/O Late Ishmail Miyan Resident of Vill-
Satwariya, P.S.- Shikarpur, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 16-05-2025 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Shikarpur P.S. Case No. 10 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 324(4), 352, 351(2), 3(5) of the B.N.S., 2023.

3. Allegedly, while the informant was coming from his tractor laden with sugarcane, in the meanwhile, all the accused persons, including the petitioner surrounded the informant and started assaulting. It is specifically alleged that the petitioner along with one Anwar Miyan caught hold the informant from behind and thereafter, they assaulted by a sharp cutting weapon causing injury over his right hand. It is further alleged that co-accused Munna Ansari has also assaulted the



informant over his head by means of iron katta, due to which he sustained serious injuries. The accused persons also damaged the tractor.

4. Learned Advocate for the petitioner taking this Court through the FIR contended that so far the allegation against the petitioner is concerned of causing assault over the hand of the petitioner, the injury has been found to be simple in nature. In fact, on account of a land dispute both the parties have entered into scuffle, resulting into some injuries. The institution of the FIR is in the backdrop of land dispute giving rise of Title Suit No. 241 of 2023, going on between the parties. The specific accusation of causing assault over the head is attributed to Munna Ansari; moreover, the petitioner is a man of fair antecedent and he undertakes that he will fully co-operate in the proceeding of the Court and would not indulge in such kind of activities in future.

5. On the other hand, learned counsel for the State and the informant opposed the pre-arrest bail application and submits that the informant was fortunate enough that he did not get any injury on the vital part; however, it is the fact that all the accused persons were trying to kill the informant. The reason for the occurrence is writ large that both the parties have been



pursuing their remedy before the Civil Court.

6. Regard being had to the submissions made on behalf of the parties and considering the simple nature of injuries, as also the fair antecedent and the genesis of the occurrence, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 10 of 2025, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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