

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36205 of 2025**

Arising Out of PS. Case No.-9 Year-2025 Thana- POTHIIYA District- Kishanganj

Sabir Alam S/O Matebul R/O Chichuawari, P.s.- Pothia, District- Kishanganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 16-06-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Pothia P.S. Case No. 09 of 2025, instituted for the offences punishable under Sections 126(2), 115(2), 117(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and later on amended Sections have been added under Sections 126(2), 115(2), 117(2), 352, 109(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, husband of the informant was attacked by the petitioner along with other co-accused persons, hit him on the head with an iron rod, choked and beaten by the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the informant and petitioner are co-villagers. It is further submitted that the allegation levelled against the petitioner is general and omnibus in nature, rather specific allegation of assault is against co-accused, namely, Sahansah. The petitioner is in custody since 20.03.2025 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pothia P.S. Case No. 09 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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