

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52786 of 2025

Arising Out of PS. Case No.-74 Year-2024 Thana- Nehra District- Darbhanga

Nazim Khan S/o Nazir Khan Resident of Village- Paithan Kabai, PS- Nehra,
District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sumit Shekhar Pandey, Advocate
		Ms. Kalpana, Advocate
For the State	:	Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-08-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 118(1), 117(2), 109(1), 74, 329(3), 324(4), 352, 351(2) and 3(5) of the B.N.S..

3. As per prosecution case, it is alleged that on 29.09.2024, all the F.I.R. named accused persons, including this petitioner, variously armed, unlawfully entered into land of informant and started raising boundary. On objection, all the F.I.R. named accused persons, including this petitioner, assaulted informant and others. It is alleged that this petitioner assaulted on head of informant with *farsa*. It is further alleged



that all the accused persons entered into house of informant and looted ornaments, cash and documents.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. As a matter of fact, assertion of right, title and possession over a piece of land by both the parties led to *maar-peet* in which both sides sustained injuries. The present case is counter-blast of Nehra P.S. Case No. 73 of 2024 which was lodged earlier in point of time by wife of this petitioner against informant and others and in retaliation, only with a view to save their skin from the aforesaid case, this false and concocted case has been lodged. As a matter of fact, on the alleged date and time of occurrence, it was informant's side who attempted to unlawfully encroach upon the land of petitioner. Doctor has found the injuries, allegedly caused by this petitioner, simple in nature. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, case and counter-case between the parties, nature of injuries sustained by the injured and clean antecedents of the



petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Darbhanga in connection with Nehra P.S. Case No. 74 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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