

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47381 of 2025

Arising Out of PS. Case No.-135 Year-2025 Thana- MALAHI District- East Champaran

Sheikh Samir @ Md. Navedul Hasan S/o Sheikh Javed @ Mohammad Javed
@ Javed Alam R/o Village- Chintamanpur, P.S.- Malahi, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 08-10-2025 Heard Mr. Bijay Prakash Singh, learned counsel for
the petitioner and Mr. Brajendra Nath Pandey, learned APP for
the State.

2. The petitioner has prayed for bail in connection
with Malahi P.S. Case No. 135 of 2025 registered for the
offence punishable under Sections 109(1), 3(5) of the B.N.S.,
2023.

3. The case of the prosecution is that Nitesh Kumar
was returning from a fair in the evening of 21.04.2025, and on
the way, Krishna Sahani and Surendra Yadav gave
indiscriminate knife blows and threw him near the bank of the
canal.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He further submits that the petitioner is languishing in judicial custody since 30.04.2025.

5. The application for bail is vehemently opposed by learned APP for the State and the learned counsel for the informant. Learned counsel for the informant submits that the name of this petitioner is not there in the FIR, but in the restatement of the informant, the name of this petitioner has surfaced. Even the injured Nitesh Kumar has also given his statement under Section 180 of the BNSS, wherein he has alleged that this petitioner has given him a knife blow. From perusal of the injury report, it will transpire that the injured has received following injuries:

Injury : 1) Infraumbilical sharp cut laceration wound 2" x 1 ½" (approx.) with expulsion of intestine.

2) Operative finding: (i) Gastric perforation at the pylorus region 2 cm x 1 cm (approx.)

3) Large Hemoperitoneum Hemorrhagic Shock

4) Intestinal Injury 3cm x 1 cm (approx)

The doctor has opined that the injuries are grievous in nature. Learned counsel for the informant also submits that the



intestine of the injured was to be amputated due to the injuries caused.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail at this stage, however the petitioner will be at liberty to renew his prayer for bail after six months if the trial is not concluded.

7. Accordingly, the present bail application of the petitioner stands rejected.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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