

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49167 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- BELA District- Sitamarhi

Md. Jiyaulaha Son of Ali Hasan R/O Vill- Betaha, P.S.- Bela, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Pushpendra Kumar Singh, Advocate
For the State : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-08-2025 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 76, 109, 115(2), 118(1), 126(2), 303(2), 324(4), 351(2), 352 and 3(5) of the B.N.S..

3. As per prosecution case, informant, namely Md. Salimullah, alleged that on 24.02.2025 at about 4 PM, when he was on his terrace for some construction work, he saw this petitioner sprinkling petrol downstairs. When he came down, this petitioner assaulted on head of informant with sword resulting in head injury. It is further alleged that when sons of informant came to save him, all the accused persons named in the F.I.R., including this petitioner, assaulted them and took



away cash and other household articles.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner has falsely been implicated in this case with ulterior motive. There is case and counter-case between the parties.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. with specific accusation that he assaulted on the head of informant with iron rod. In the occurrence, altogether, two persons sustained injuries. Doctor has found the injuries, sustained by the injured, as grievous in nature. Petitioner has one criminal antecedent.

6. Considering the aforesaid facts and circumstances of the case, specific and direct nature of accusation, nature of injuries sustained by the injured and criminal antecedent of the petitioner, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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