

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50911 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- Telta District- Katihar

MD. MATIUR RAHMAN @MATIUR RAHMAN S/o LATE MD. FARUKH
R/o vill - Lohagara, P.S.- Telta, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mazher Alam, Advocate
For the Opposite Party/s	:	Mr.Ajay Kumar Jha, APP
For the informant	:	Ms. Madiha Hashmi, Advocate
		Mr. Helal Ahmad, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2025 Heard learned Counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner who apprehend arrest in connection with Telta P.S. Case No. 19/2025 lodged on 11.04.2025, for the offences punishable under sections 126(2), 115(2), 109, 352, 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, the specific allegation against the present petitioner is that he assaulted the victim on the head with an iron rod, thereby causing injury to the victim.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. From the contents of the FIR, it becomes evident that there is an ongoing land dispute between the parties. Nine persons have been made



accused in this case, and in the case of similarly situated persons, this Court has already called for the case diary. Therefore, it is submitted that the present case may be tagged with the said case in which the case diary has been called for. Learned counsel further submits that the petitioner holds a responsible position as he is a Sarpanch. It is further stated that although the petitioner is an accused in one other criminal case, but he has already been granted bail in that matter.

5. Learned APP for the State vehemently opposes the prayer for bail.

6. Learned counsel for the informant also vehemently opposes the prayer for bail and submits that, from a bare reading of the FIR, it is evident that there are nine accused persons, and the specific allegation of assault is against the present petitioner. She further submits that Annexure-3, which has been filed by the petitioner himself, is the injury report of the victim, and it shows that the nature of injury is grievous.

7. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Telta P.S. Case No. 19/2025, pending before the learned Judicial Magistrate, 1st Class, Katihar is hereby rejected.



8. However, if the petitioner surrenders before the Trial Court within six weeks from today, the Trial Court is directed to pass an order on his surrender-cum-bail application on the same day, without being prejudiced by the fact that the petitioner’s anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

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