

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55317 of 2025

Arising Out of PS. Case No.-91 Year-2024 Thana- ARIYARI District- Sheikhpura

Md. Sajjad Khan @ Md. Sajjad @ Md. Shahjad S/O Md. Nazir Khan @ Md. Nazeer Khan @ Md. Farukh @ Md. Najir R/O Vill.- Nabinagar, Kakrar, P.S.- Ariyari, Dist.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinkar Kumar
For the Opposite Party/s : Mr.Sanjay Kumar Singh
for the informant : Mr. Anwar Karim

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 227-08-2025
1.

Heard learned Counsel for the petitioner, learned Counsel for the informant and learned Additional Public Prosecutor for the State.
2.

This application, for grant of anticipatory bail, arises out of Ariyari Police Station Case No. 91 of 2024, dated 22.03.2024, disclosing offences punishable under Sections 341/307/323/504/379/325/34 of the Indian Penal Code.
3.

The prosecution case, as per the First Information Report, is that the she-goat of the petitioner entered into the field of the informant, started grazing the crops and when the informant objected, co-accused Farukh Khan abused the informant. It has further been alleged that the petitioner



assaulted the informant by fists and slaps and when the informant's brother-in-law and nephew came to save the informant, the petitioner assaulted the nephew of the informant by means of iron rod and opened fire. It has also been alleged that the petitioner assaulted the informant's brother-in-law by means of iron-rod on his head and also the leg of the brother-in-law of the informant was fractured.

4. Learned Counsel for the petitioner submits that the occurrence has taken place on the trivial issue that the she-goat of the petitioner entered into the field of the informant and started grazing the crops standing there. The other co-accused persons have been granted anticipatory bail by co-ordinate Bench of this Court. The allegation against the petitioner is that he assaulted upon the head of the informant's brother-in-law, however, his leg has been found fractured by the doctor. There is case and counter case between the parties.
5. On the other hand, learned Counsel for the informant opposes the prayer for anticipatory bail and submits that there is specific allegation against the petitioner that he assaulted the informant, his nephew and also the brother-



in-law of the informant by iron rod, due to which the brother-in-law of the informant has sustained grievous injury and the doctor has found fracture of his left leg on proximal part of left tibia and fibula.

6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is specific allegation against the petitioner of assaulting the brother-in-law of the informant, due to which he sustained fracture injury in his leg and the doctor has opined the injury grievous in nature, I am not inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, dismissed.
8. However, if the petitioner surrenders before the concerned Court and seeks regular bail, the same may be considered by the concerned Court on its own merit, without being prejudiced by the rejection of the present anticipatory bail application of the petitioner by this Court.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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