

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56487 of 2025

Arising Out of PS. Case No.-96 Year-2025 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Tabir Khan, S/o Late Islam Khan, R/o Village- Sitanabad, Ward No. 8, P.S.-
Simri Bakhtiyarpur, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 10-12-2025 Heard Mr. Satish Kumar Singh, learned counsel for

the petitioner and Mr. Mritunjay Kumar Nirala, learned APP for

the State.

2. The petitioner has prayed for bail in connection
with Simri Bakhtiyarpur P.S. Case No. 96 of 2025 registered
for the offence punishable under Sections 126(2), 127(2),
115(2), 118(1), 118(2), 109, 352, 351(2) and 3(5) of B.N.S.

3. The case of the prosecution, in short, is that the
petitioner has given knife blow to the informant on his chest.

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. During course of investigation, no injury report was



submitted by police. Diary and injury report was called. From perusal of the injury report, it is clear that injury report dated 29.05.2025 is there and according to that injury report, Mukesh Kumar the informant has received following injuries:-

I. Stitched wound at rt. hemithorax 3 cm in length.

II. Right anterior chest wall hematoma 5.4 x 4.9 x 2.5 cm

III. Right side hemothorax and collapse lung base.

The doctor has opined that the wound is stab wound caused by sharp object grievous in nature. From perusal of the injury report, it is clear that the doctor who has given his opinion, he has not found any cut or lacerated wound, but it is not clear as to on what basis he has given his opinion that the wound is stab wound and caused by sharp object. This injury report was prepared on 29.05.2025 which also creates doubt. Petitioner is having no criminal antecedent and he is languishing in judicial custody since 15.03.2025.

5. Learned APP appearing for the State has vehemently opposed the application for bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties



of the like amount each to the satisfaction of the learned Judicial
Magistrate 1st Class, Saharsa in connection with Simri
Bakhtiyarpur P.S. Case No. 96 of 2025.

(Ashok Kumar Pandey, J)

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