

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65873 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- SIMRAHA District- Araria

Abu Salim @ Md. Salim S/o Afaque @ Md. Afaque R/o Village / Mohalla -
Sonarpatti, Ward No. 3, P.S - Simraha, District - Araria, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Adv. Ms. Diksha Kumari, Adv. Mr. Kumar Rajdeep, Adv.
For the Opposite Party/s :		Mr.Dr. Indihar Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Simraha P.S. Case No. 10 of 2025 instituted for the offences
under Sections 126(2), 115(2), 118(1), 117(2), 109, 351(2) &
(3), 103(2), 191(2), 191(3), 190 and 3(5) of the Bhartiya Nyaya
Sanhita, 2023.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of assaulting the
Informant's husband. It is further alleged that the co-accused
Noman has assaulted upon the head of Informant's husband by
means of sword, who later on died, in course of his treatment.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to village politics and enmity. Both the parties are Gotiya. The only allegation has been made against the petitioner of assaulting Ahatesham by means of *lathi*, *danda* and rod causing head injury but, from perusal of the injury report of Ahatesham, it appears that the injury is simple in nature. He further submits that the direct allegation of assaulting the husband of the informant on his head by means of sword is against Md. Noman. The petitioner has no criminal antecedent and is languishing in judicial custody since 09.01.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in



connection with Simraha P.S. Case No. 10 of 2025.

(Rudra Prakash Mishra, J)

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