

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81712 of 2025

Arising Out of PS. Case No.-289 Year-2025 Thana- BAHADURPUR District- Darbhanga

Md. Saddam, S/o Md. Abbash @ Md. Abbas, R/o village- Taralahi, PS-
Bahadurpur, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-12-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Bahadurpur P.S. Case No. 289 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 118, 117(2), 109, 303(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. On account of a dispute, due to share in the shop, the informant was called upon by the co-accused Md. Ekram and when he reached there, on the dictate of co-accused Md. Ekram, this petitioner assaulted the informant by means of *Farsa* over his head, due to which he sustained serious injury. There is specific accusation against Md. Ekram of causing assault to the shoulder of the informant, due to which he sustained grievous injury. Besides the aforesaid allegation, the accused persons also snatched the valuables.



4. Learned Advocate for the petitioner referring to the F.I.R. contended that the entire allegation falls to the ground for the simple reason that the injury report does not corroborate the allegation levelled against the petitioner, inasmuch, as no injury has been found over the head of the informant. There is a counter version of the present case, being Bahadurpur P.S. Case No. 301 of 2025, instituted against the informant and others. So far the injury, which is found to be grievous in nature, is not attributed to the petitioner, rather against the co-accused Md. Ekram, who is not before this Court. The petitioner bears fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner has actively participated in the occurrence and assaulted the informant.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of accusation, qua the injury report, which does not corroborate the allegation of assault at the hands of the petitioner, coupled with the fair antecedent, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks



from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Darbhanga in connection with Bahadurpur P.S. Case No. 289 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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