

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88549 of 2025

Arising Out of PS. Case No.-30 Year-2025 Thana- Araria Sangram District- Madhubani

Md. Shamsher, aged about 36 years, Male, Son of Md. Saphiq Marhum,
Resident of Village- Sangram, P.S- Araria Sangram, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 22-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Arariya Sangram P.S. Case No. 30 of 2025 instituted for the offences punishable under Sections 127(1), 115(2), 109, 74, 303(2), 352, 351(2) and 3(5) of the BNS.

3. As per allegation in the FIR, all the accused persons named in the FIR including the present petitioner were destroying the crop and on protest Md. Nayim and Abdul Rahim were abusing the informant and also assaulted the informant with *farsa* over his head due to which he sustained injury and other accused persons assaulted by iron rod on his leg.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case due to dirty village politics.



He submits that no external injury has been found on the body which shows that petitioner has been falsely implicated in this case. He further submits that there is land dispute attributed between the parties. He next submits that one of the co-accused namely, Mr. Ataul Rahman @ Md. Aatur Rahman has been granted regular bail by the learned Trial Court in Regular Bail Application No. 290 of 2025 vide order dated 01.07.2025. Petitioner is in custody since 25.08.2025.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. From perusal of the FIR and impugned order of the learned Additional Sessions Judge-I, Jhanjharpur dated 19.11.2025, it appears that on the basis of written report of the informant, FIR has been registered under Sections 127(1), 115(2), 109, 74, 303(2), 352, 351(2) and 3(5) of the BNS against eight co-accused persons including the present petitioner and the allegation is that they destroyed the crop and on protest Md. Nayim and Abdul Rahim were abusing the informant and also assaulted the informant with *farsa* over his head due to which he sustained injury and other accused persons assaulted by iron rod on his leg. From perusal of the injury report, which has produced on behalf of the petitioner, it appears that no external



injury has been found on the body of the victim and the petitioner is in custody since 25.08.2025. Similarly situated co-accused persons namely Mr. Ataul Rahman @ Md. Ataur Rahman has been granted regular bail by the learned Trial Court in Regular Bail Application No. 290 of 2025 vide order dated 01.07.2025, so considering all these aspects of the case and submission of learned counsel for the petitioner, I am inclined to grant bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Jhanjharpur Madhubani in connection with Arariya Sangram P.S. Case No. 30 of 2025, G.R. No. 854 of 2025.

(Ramesh Chand Malviya, J)

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