

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4953 of 2026

Arising Out of PS. Case No.-260 Year-2025 Thana- KATIHAR MUFFASIL District- Katihar

Md. Athar S/o Md. Asgar Resident of Village- Chilmara Tajganj, P.S.-
Muffasill, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Musowir, Advocate

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner who apprehends arrest in connection with Muffasil P.S. Case No. 260 of 2025 lodged on 04.11.2025, for the offences punishable under sections 126(2), 115(2), 118(1), 117(2), 109(1), 74, 303(2), 352, 351(2), 329(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, the F.I.R. has been lodged against the petitioner and two unknown accused persons. It is alleged in the F.I.R. that the petitioner, along with two unknown persons, came to the house of the informant and started searching for her brother. When questioned by the informant, the accused persons allegedly attempted to drag her by catching hold of her hand. When the brother of the informant tried to



rescue her, the accused persons assaulted them with a bamboo stick and an iron fighter. The accused persons also allegedly tore the clothes of the informant and attempted to outrage her modesty. It is further alleged that when another brother of the informant went to the house of the petitioner to inquire about the incident, all the accused persons, including the petitioner, assaulted him. It is specifically alleged that the petitioner inflicted a blow with an iron rod on the head of the informant's brother. The accused persons are also alleged to have snatched the ear-ring of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The antecedent of the petitioner is clean. It is further submitted that although the alleged occurrence took place on 01.11.2025, the F.I.R. was instituted on 04.11.2025. The present case has been lodged in the background of a land dispute between the parties, and there exists a case and counter-case between them. It is submitted that the petitioner has also instituted Muffasil P.S. Case No. 259 of 2025. Learned counsel further submits that the injury report indicates that the injuries sustained are simple in nature and caused by a hard and blunt substance.

5. Learned APP for the State opposes the prayer for



bail and submits that there exists a case and counter-case between the parties.

6. In the facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha Sanhita, 2023 to the satisfaction of the learned CJM, Katihar, in connection with the aforementioned case, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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