

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12935 of 2026

Arising Out of PS. Case No.-115 Year-2025 Thana- KRITYANAND NAGAR District- Purnia

1. Md. Samsad Son of late- Md. Jamhir @ Md. Jamir Resident of village- Banbhag Futani Hat Tola, Ward No. 06, P.S- K. Nagar, District- Purnea
2. Md. Shoukat Son of Md. Samsad. Resident of village- Banbhag Futani Hat Tola, Ward No. 06, P.S- K. Nagar, District- Purnea
3. Md. Jabir Son of Md. Mumtaz @ Md. Muntaz. Resident of village- Banbhag Futani Hat Tola, Ward No. 06, P.S- K. Nagar, District- Purnea
4. Md. Sabir @ Shabbir Son of Md. Mumtaz @Md. Muntaz. Resident of village- Banbhag Futani Hat Tola, Ward No. 06, P.S- K. Nagar, District- Purnea
5. Md. Mukhtar Son of late-Md. Jamhir @ Md. Jamir Resident of village- Banbhag Futani Hat Tola, Ward No. 06, P.S- K. Nagar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Adv.
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-02-2026 Heard Mr. Amit Kumar Anand, learned Counsel for the petitioners and Mr. Jitendra Kumar Singh, learned APP for the State.

2. The petitioners apprehend their arrest in connection with K. Nagar P.S. Case No. 115 of 2025 for the offence registered under sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109, 76, 352 and 351(2) of the BNS, 2023.

3. As per the prosecution story, the informant alleged that on the land dispute issue, the accused persons attacked and



assaulted. Allegation is that Md. Samsad gave rod blow to Md. Saoib causing injury while Rasida Khatoon, his wife was assaulted by other accused persons, they also outraged her modesty. This followed the transfer of the injured to G.M.C.H, Purnea.

4. Learned Counsel for the petitioners submit that omnibus allegation is against all the accused persons though he concede that there is allegation against Md. Samsad of hitting the informant on his head, none have criminal antecedent. He further submits that no injury report is/are there so far as the informant's wife, Rasida Khatoon is concerned.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that learned Sessions Judge order would show that the injury inflicted by Md. Samsad on the victim has been found to be grievous in nature.

6. Considering the fact that Md. Samsad has given rod blow to the informant and the injury has been recorded as grievous in nature as per the observation of learned Sessions Judge, no relief can be granted to him.

7. Accordingly, the anticipatory bail of petitioner no. 1, Md. Samsad stands rejected.

8. So far as the others are concerned, since there is no injury report of Rasida Khatoon, as claimed, allegation against the petitioner nos. 2 to 5, are omnibus in nature, main role of assault



is on petitioner no. 1, Md. Samsad, they do not have criminal antecedent, in that background, this Court is inclined to grant anticipatory bail to petitioner nos. 2 to 5 namely, Md. Shoukat, Md. Jabir, Md. Sabir, Md. Mukhtar respectively with conditions.

7. Let the petitioner nos. 2 to 5 namely, Md. Shoukat, Md. Jabir, Md. Sabir, Md. Mukhtar in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Purnea in connection with K. Nagar P.S. Case No. 115 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner nos. 2 to 5 namely, Md. Shoukat, Md. Jabir, Md. Sabir, Md. Mukhtar, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *bona fide*;

(ii) the petitioner nos. 2 to 5 namely, Md. Shoukat, Md. Jabir, Md. Sabir, Md. Mukhtar shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;



(iii) the petitioner nos. 2 to 5 namely, Md. Shoukat, Md. Jabir, Md. Sabir, Md. Mukhtar shall appear before the concerned police station every month for next six months to mark attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the petitioner nos. 2 to 5 namely, Md. Shoukat, Md. Jabir, Md. Sabir, Md. Mukhtar shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner nos. 2 to 5 namely, Md. Shoukat, Md. Jabir, Md. Sabir, Md. Mukhtar shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

U		T	
---	--	---	--

