

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14954 of 2026

Arising Out of PS. Case No.-205 Year-2024 Thana- KAMTAUL District- Darbhanga

Md. Sarwar Sah @ Md. Sarwar S/o Md. Sakil Sah @ Mohammad Shakil R/o
- Vajitpur, P.S - Kamtaul, District - Darbhanga, Bihar, Corresponding address
Vill - Bhataura, P.S.- Bisfi, Distt.- Madhubani, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-04-2026 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 109, 303(2), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita.

3. As per F.I.R., co-accused Md. Mumtaz assaulted on the head of informant with iron rod and co-accused Md. Rahamatullah along with other named accused persons assaulted on different body parts of the informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Specific accusation of assault is against other accused persons. Allegation against petitioner is general and omnibus and there is



no allegation of any specific overt act against petitioner. F.I.R. has been lodged after inordinate delay of about 11 days which itself raises doubt over veracity of the prosecution case. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering backdrop of the case, delay in lodging the F.I.R., nature of accusation and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Kamtaul P. S. Case No. 205 of 2024, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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