

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16521 of 2026

Arising Out of PS. Case No.-311 Year-2025 Thana- POTHIIYA District- Kishanganj

Sajjad Alam Son of Md. Sarfuddin @ Bachchan @ Md Safiuddin Resident of
village- Nadiya Gachh P.S. -Pothia District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-04-2026 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the informant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 126(2),
115(2), 132, 76, 352, 351(2) and 3(5) of the BNS, 2023 as well
as Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases and the informant
alleges that accused persons including the petitioner came to the
Madrasa on 11.12.2025, at 11:30 am., and said to close the
Madrasa. On objection, accused persons abused and assaulted
the teachers and petitioner dashed the informant on the ground
and assaulted brutally injuring him and accused also assaulted
women cook and vandalized the office and petitioner even fired



and Azad tried to assault his nephew by sword. Further, that from the place of occurrence a batch of constable, namely, Fantus Das was recovered and the occurrence has been captured in the CCTV.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant on account of dispute relating to Madrasa. It is further submitted that no doubt, petitioner is alleged to have dashed the informant on the ground and thereafter assaulted him brutally but then the informant did not suffer any injury which amply demonstrates that the allegation has been alleged only with a view to implicate the petitioner since he has antecedent. It is next submitted that as far as allegation of firing is alleged, the same is ornamental as no one was injured in the firing. It is also submitted that no doubt, petitioner has antecedent of three cases but then nature of allegation also requires to be appreciated.

5. On query of the Court from the learned counsel appearing on behalf of the informant as to whether the informant suffered any injury or not on which the learned counsel appearing on behalf of the informant fairly submits that informant did not suffer any injury on which the learned counsel appearing on behalf of the petitioner submits that it amply



demonstrates that petitioner has been implicated only with an intent to coerce him into submission since a dispute with regard to Madrasa has arisen in between two groups.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. After hearing the learned counsel for the parties, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Pothia P.S. Case No. 311 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

(Satyavrat Verma, J)

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