

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16821 of 2026

Arising Out of PS. Case No.-86 Year-2025 Thana- Bajitpur District- Darbhanga

Md. Shamshad R/o Md. Kalam @ Kamal R/o Village - Belahi, P.S. - Wajitpur,
Dist. - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Madhumala Kumari, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-05-2026 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The petitioner is apprehending arrest in connection with Wajitpur P.S. Case No.86 of 2025 lodged on 17.11.2025, for the offences punishable under Sections 126(2), 115(2), 118(2), 109(1), 352, 351(2) and 3(5) of the B.N.S., 2023.

3. As per the prosecution, FIR has been lodged against three named and two unknown accused persons including the present petitioner with allegation that the petitioner and one other accused have caught the informant and thereafter, accused, namely, Saqlain has assaulted by sharp cutting weapon on the informant's head due to which injury has been caused. The accused persons have also committed offence with the son of the informant for which another case bearing Case No.65 of



2025 has been lodged.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that the occurrence alleged to be taken place on 12.11.2025 for which present FIR has been lodged. He further submits that for the same date and place of occurrence, a criminal case has already been lodged by the wife of the petitioner on 16.11.2025 against the informant and others in which petitioner was brutally injured and he was admitted to hospital. He further submits that when the petitioner was injured and his hand was broken then there is no question of any commission of act as alleged in the FIR.

5. Counsel submits that the criminal antecedent of the petitioner is not clean as there is one criminal case pending against him in which he is on bail. He further submits that case diary has been called for for ascertaining the fact of this case.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that in the case diary, paragraph 101 indicates the independent witness of the same village, who has intimated that injury has already been caused to the petitioner due to which treatment was going on.

7. As such, in the present facts and circumstances of



this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of J.M., Darbhanga in connection with Wajitpur P.S. Case No.86 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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