

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18169 of 2026

Arising Out of PS. Case No.-428 Year-2025 Thana- ARARIA District- Araria

=====

Ehtesam @ Md. Ehtesam Saif @ Ahetesam S/o Md. Nabiruddin Resident of
Village- Kakora, P.S.- Mahalgaon, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate.

For the Opposite Party/s : Mr. Vinod Shanker Modi, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 25-03-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Araria P.S. Case No.428 of 2025 instituted under Sections
137(2), 142, 3(5) of the B.N.S., 2023 read with Section 81 of the
Juvenile Justice Act, 2015..

3. As per the prosecution case, the wife of the
informant, namely, Bibi Khatoon was admitted for delivery of
child at Sadar Hospital, his co-villager *dai*, namely, Sajara
Khatoon brought her hospital. It is alleged that after delivery of
child, the said *dai*, namely, Sajara Khatoon advised to admit in
private hospital then the owner of private nursing home called
them and both reached in a private nursing home. When the
wife of informant regained consciousness and the child was



admitted, she said to the informant to come next day and when they went on the next day it is said that an injection was given to child and he is in glass and told to come after three days but after three days the owner of the said nursing home refused to give child.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case only on the basis of suspicion. He further submits that the petitioner has filed an application before the learned Court concerned that the infant child of informant was admitted in a hospital outside Araria by the nurses and due to suspicion the informant has filed the F.I.R. Learned counsel submits that informant has already received the infant child and when he came to know about the real fact, he has filed the said application before the learned Court concerned. He further submits that petitioner has got clean antecedent and he undertakes to cooperate in the investigation and trial of the case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the nature of allegation against the petitioner as well as his clean



antecedent, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned C.J.M., Araria/ concerned Court in connection with Araria P.S. Case No.428 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

Ritik/-

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

