

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22393 of 2026

Arising Out of PS. Case No.-281 Year-2025 Thana- KORHA District- Katihar

Md. Jiaul Haque Son of Late Saukat Ali Resident of Village- Simariya Daroga
Tola, P.S.- Korha, District- Katihar (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Tiwary

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

3 07-05-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Korha P.S. Case No.281 of 2025, F.I.R dated 28.11.2025 registered for the offences punishable under Sections 190, 191(2), 191(3), 115(2), 109(1), 126(2), 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, in brief, is that the informant, Tanvir Alam, son of Amir Hussain, lodged a written report before the Officer-in-Charge of Korha Police Station alleging that a private pathway leading to his field was being used by the petitioner, to which he had objected. It is alleged that on 26.11.2025, the accused persons threatened to abduct his son. Thereafter, on 27.11.2025 at about 11:00 P.M., while his



son, Md. Rahamat Ali, was sleeping in a room near the door, accused Jiaul Haque, armed with a Hasua, along with other accused persons, came there and allegedly attempted to take him away with intent to kill. Upon raising alarm, the accused persons are alleged to have assaulted him with lathi and danda, causing injuries on his body. Thereafter, with the help of villagers, the injured was rescued and taken to Katihar Medical College for treatment.

4. Learned counsel for the petitioner submits that there is counter version to the entire incident, which is alleged in the F.I.R. and the allegations are general and omnibus in nature. It has further been submitted that both the sides have sustained injuries, and the injury which is caused to the informant's son, is simple in nature while there is nothing specific against the present petitioner. It has next been submitted that co-accused persons have been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Court vide order dated 29.04.2026 passed in Cr. Misc. No.20196 of 2026. Lastly, it has been submitted that the petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances



that the allegations are general and omnibus in nature, both the sides have sustained injuries, and the injury which is caused to the informant's son, is simple in nature while there is nothing specific against the present petitioner and that the co-accused persons have been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Court vide order dated 29.04.2026 passed in Cr. Misc. No.20196 of 2026 and the petitioner has clean antecedent. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar, in connection with Korha P.S. Case No.281 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;



(ii) the petitioner(s) 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/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) 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;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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