

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18485 of 2026

Arising Out of PS. Case No.-254 Year-2025 Thana- BARHARA KOTHI District- Purnia

Md. Saddam S/O Md. Sattar R/O Vill.- Murballa, P.S- Barhara Kothi, Dist -
Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Binod Kumar Sinha, Adv
For the Opposite Party/s :	Mr.Dilip Kumar No. 1, APP
	Ms Pooja Prasad, Adv
	Mr. Rishi Sinha, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-04-2026 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioner apprehends his arrest in connection with Barhara Kothi PS Case No. 254 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 303(2), 352, 351(2), 109(2) and 3(5) of the Bharatiya Nyaya Sanhita.
3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that his brother was going to the field and informant was following him on a bicycle from behind, when 11 named accused persons including the petitioner intercepted his brother and started assaulting him brutally and when informant tried to



save him, he was also assaulted brutally and petitioner assaulted his brother by lathi, danda and rod above his eye causing injury and accused snatched Rs. 5,000/- from his brother's pocket.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the informant alleges that he was following his brother on a bicycle when his brother was going to the field and he saw 11 named accused persons intercepted his brother and assaulted him brutally, but then brother of the informant suffered only one injury, i.e., fracture of nasal bone, which has been opined to be grievous, but then it is fairly submitted that informant also specifically alleges that petitioner assaulted his brother by lathi, danda and rod. It is thus submitted that it appears that allegations are exaggerated. It is also submitted that initially when the FIR was instituted, the same was not instituted under Section 109(2) BNS, but subsequently Section 109(2) BNS was added.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and learned counsel appearing on behalf of the informant opposes the anticipatory bail



application and the learned counsel appearing on behalf of the informant that there may be some embellishment in the allegations as alleged in the FIR, but then there is specific allegation against the petitioner of assaulting the brother of the informant causing injury above his eye and the brother of the informant suffered grievous injury, i.e., fracture of nasal bone, a vital part of the body. It is further submitted that investigation in the case is continuing and if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond.

6. After hearing the learned counsel for the parties and taking in considering made by learned counsel appearing on behalf of the informant, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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