

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21549 of 2026

Arising Out of PS. Case No.-372 Year-2025 Thana- PIPRAKOTHI District- East Champaran

1. Sheikh Afroz @ Afroz Ahmad son of Sheikh Sahid Resident Of Village -Mathurapur Mathgopal Piprakothi Ps -Turkauliya District -East Champaran Bihar
2. Noor Mohammad @ Noor Mohoonnad Son of Sheikh Sahid Resident Of Village -Mathurapur Mathgopal Piprakothi Ps -Turkauliya District -East Champaran Bihar
3. Asgar Ali Son of Usman Miya Resident Of Village -Mathurapur Mathgopal Piprakothi Ps -Turkauliya District -East Champaran Bihar
4. Md. Hasim Son of Usman Miya Resident Of Village -Mathurapur Mathgopal Piprakothi Ps -Turkauliya District -East Champaran Bihar
5. Md. Kasim son of Usman Miya Resident Of Village -Mathurapur Mathgopal Piprakothi Ps -Turkauliya District -East Champaran Bihar

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Sanjay Kumar Tiwari, Advocate
For the State	:	Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-04-2026 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. After some arguments, learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner no. 1, namely Sheikh Afroz @ Afroz Ahmad.

3. Permission, as prayed for, is accorded.

4. Accordingly, the anticipatory bail application with respect to petitioner no. 1, namely Sheikh Afroz @ Afroz



Ahmad stands dismissed as withdrawn. Now, the present anticipatory bail application survives only for petitioner nos. 2 to 5.

5. In the present case, the petitioners are apprehending their arrest in connection with Piprakothi P.S. Case No. 372 of 2025, dated 02.11.2025, registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109 and 303(2) of the B.N.S., 2023.

6. As per prosecution case, the petitioners and the co-accused had been cultivating the land of the informant and when the informant came to know about the this fact, he along with his brother went there and opposed the same. It is further alleged that at the instigation of petitioner no. 2, Noor Mohammad, co-accused Sheikh Afroz gave *farsa* blow to the informant, who received injury on his right shoulder and right leg. Petitioner no. 2 gave sword blow to the brother of the informant but he did not receive any injury. The other petitioners also assaulted with iron-rod, *lathi* and *danda* etc. Petitioner no. 2 again struck the informant on his head with sword and as a result he became unconscious.

7. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in



this case. Though there is specific allegation against petitioner no. 2, Noor Mohammad, for assaulting the brother of the informant, but no injury has been found on the alleged victim. The allegation against the petitioners, apart from causing the lacerated wound, are general and omnibus. Learned counsel further submits that the present case is counter blast of Piprakothi P.S. Case No. 399 of 2025 which has been instituted by one Gulshan Khatoon against the informant and others and the petitioners are themselves the victim of the assault by the informant's side. He further submits that the FIR has been instituted after much delay as the occurrence is stated to have been taken place on 28.10.2025, whereas the FIR was lodged on 02.11.2025 without any plausible explanation. Learned counsel further submits that the independent witnesses have not supported the prosecution case and it is stated that there was a free-fight between two parties over land dispute. Taking advantage of the situation, the informant's side has lodged the present case with exaggerated facts. Learned counsel further submits that only the injury of the informant has come on record and from the rejection order it appears that the informant received injuries on his right occipital parietal area of size 8cm x 1cm x bone deep which is a lacerated wound, similarly injury



over left deltoid region of size 4cm (carved) x ½ cm x flesh deep apart from multiple abrasions over right and left area of forearm and back region. Injury no. 1 is stated to be grievous which is on the head and the allegation of causing these injuries is against the co-accused Sheikh Afroz @ Afroz Ahmad. Learned counsel lastly submits that petitioners are having clean antecedent.

8. Learned APP opposes the submissions made on behalf of the petitioners.

9. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case of the parties and also considering the non-specific nature of allegations against the petitioners for indulging in any overt act of causing injuries to the informant's side and further considering the possibility of false accusation, let the petitioners, above-named, in the event of their arrest or surrender before the Court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with **Piprakothi P.S. Case No. 372 of 2025**, subject



to the conditions as laid down under Section 482(2) of the
B.N.S.S. and other following conditions:

*(i) One of the bailors will be a close relative of the
petitioners.*

*(ii) The petitioners will remain present on each and
every date fixed by the Court below, if so required by the
learned trial Court.*

(Arun Kumar Jha, J)

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