

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25124 of 2026

Arising Out of PS. Case No.-275 Year-2022 Thana- JOKIHAT District- Araria

Shamshad, S/o Gul Mohammad, Resident of Village- Satbitta, Ward No. 05,
P.S.- Jokihat, District- Araria, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha, Advocate

For the Opposite Party/s : Mr. M. K. Nirala, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 16-07-2026 Heard Mr. Madhav Jha, learned Advocate for the
petitioner and Mr. M. K. Nirala, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Jokihat P.S. Case No. 275 of 2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 308, 504 and 506 of the Indian Penal Code.

3. Allegedly on the given date and time of occurrence, while the informant came to know that the petitioner along with other seven accused persons were unauthorizedly making construction over his land and when he rushed to the place of occurrence and objected to the same, this petitioner assaulted the informant by means of *Farsa* over his head, due to which he sustained serious injuries, besides there is further allegation against the other accused persons of causing assault and



snatching of valuables.

4. Learned Advocate for the petitioner submitted that from bare reading of the F.I.R., it is evident that the genesis of the occurrence is a land dispute, which resulted into a free fight between the parties, causing injuries to the persons of both the sides. Moreover, the injuries, which are allegedly sustained upon the informant is concerned, the same is found to be simple in nature. The petitioner is carrying fair antecedent and during the course of investigation, the petitioner was accorded the privilege of Section 41(A) of the Cr.P.C. and when the learned jurisdictional court has taken cognizance of the offences, as alleged in the F.I.R., the present application came to be filed.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner has assaulted the informant by means of *Farsa* over his head, which is a vital part of the body, though the informant was fortunate enough that the injury was simple in nature.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the genesis of the occurrence, coupled with the simple nature of injury, as also the fair antecedent of the petitioner, let the



petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Jokihat P.S. Case No. 275 of 2022, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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