

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35459 of 2026

Arising Out of PS. Case No.-39 Year-2026 Thana- Patarghat District- Saharsa

Md. Shoeb S/O M.d Iyrrar @ Md. Ibrar R/O Vill.- Patarghat, Ward no.- 09,
P.S- Patarghat, Dist.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Pooja Prasad, Advocate
For the State : Mrs. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-05-2026 Heard Ms. Pooja Prasad, learned counsel for the
petitioner and Mrs. Asha Kumari, learned APP representing the
State through virtual mode.

2. The petitioner is apprehending his arrest in connection with Patarghat P.S. Case No. 39 of 2026 registered for the offence under Sections 115(2), 126(2), 329(3), 109, 303(2), 351(2), 352 and 3(5) of the B.N.S., lodged on 17.02.2026 by the informant, Md. Sakir.

3. As per the prosecution story, the informant alleged that earlier, the accused resorted to abuse and upon objection, the assault. Allegation is that this petitioner alongwith Md. Meraj ensured that the family members are injured. The further allegation is of taking away ornament/amount followed their movement to hospital and then the F.I.R.

4. Learned counsel for the petitioner submits that there is one day delay in lodging of the F.I.R., case and counter



case version are also there. Further, a perusal of the learned Sessions Judge order would show that the injuries have been found to be simple in nature and if granted relief, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer submitting that allegation of assault is against this petitioner.

6. Taking into account the submissions of the parties as also that the injury has been found to be simple in nature, and an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa, in connection with Patarghat P.S. Case No. 39 of 2026 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;



(ii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioner 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 bail bond by the Trial Court itself;

(iv) the petitioner shall appear before the concerned police station every month for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(v) the petitioner 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;

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

(Rajiv Roy, J)

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