

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35333 of 2026

Arising Out of PS. Case No.-82 Year-2025 Thana- ABADPUR District- Katihar

Md. Saheb S/o Late Haroon R/o Lagua Ward no. 9, Dasgaon, P.O. - Dasgram,
P.S. - Aabadpur, Dist. - Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad, Adv.
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-06-2026 Heard Mr. Helal Ahmad, learned Advocate for the
petitioner and Mr. Pawan Kumar Chaurasia, learned Additional
Public Prosecution for the State through virtual mode.

2. The petitioner apprehend his arrest in connection
with Abadpur P.S. Case No. 82 of 2025, registered for the
offences punishable under Sections 126(2), 115(2), 118(1), 74,
303(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. On the given date and time of occurrence, allegedly
all the accused persons, ten in numbers, including the petitioner
armed with various weapons came there and started abusing and
assaulting. The specific allegation against the petitioner is of
causing assault over the head of the informant by means of knife
and in the meantime, when the family members of the informant
came to his rescue, they were also assaulted by other co-accused
persons. The accused persons also snatched the valuables.



4. Learned Advocate for the petitioner taking this Court to the injury report of the informant, Dildar Ali has submitted that the entire prosecution falls to the ground for the simple reason that it doesn't corroborate the prosecution case. Though, the informant has sustained three injuries, all of them have been found to be simple in nature caused by hard and blunt substance. The other accused persons who have also allegedly sustained injuries, are also found to be simple in nature. The petitioner is a man carrying fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court and would not indulge in such incidence in future.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that the accused persons including the petitioner have brutally assaulted the informant and others, due to which they sustained serious injuries.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the injury report which *prima facie* doesn't corroborate the prosecution case, moreover, the alleged injuries have been found to be simple in nature and the petitioner bears fair antecedent, let the petitioner above named be released on bail, in the event



of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Katihar in connection with Abadpur P.S. Case No. 82 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner and if the petitioner is found indulge in threatening the informant and his family members or would indulge in such activities in future, the State and the informant shall be at liberty to file an appropriate application for cancellation of his bail bond.

(Harish Kumar, J)

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