

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35971 of 2026

Arising Out of PS. Case No.-118 Year-2026 Thana- LAURIA District- West Champaran

1. Ahamdullah @ Badho @ Ahmadullah S/o Ejaj Ahmad @ Ajay Ahmad Resident of Village- Kandhwaliya (Deoraj) P.S.- Lauriya, District- Bettiah, West Champaran
2. Azizur Rahman @ Ajijur Rahman @ Kurkur S/o Motiur Rahman Resident of Village- Kandhwaliya (Deoraj) P.S.- Lauriya, District- Bettiah, West Champaran
3. Habibur Rahman @ Raju S/o Late Motiur Rahman Resident of Village- Kandhwaliya (Deoraj) P.S.- Lauriya, District- Bettiah, West Champaran
4. Waseem Ahmad @ Wasim Ahmad @ Chintu S/o Late Nayeem Ahmad @ Late Naim Ahmad Resident of Village- Kandhwaliya (Deoraj) P.S.- Lauriya, District- Bettiah, West Champaran
5. Zafar Imam @ Jafar Imam Late Shakil @ Sakil Resident of Village - Barbira (Barbiro), P.S.- Lauriya, District- Bettiah, West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashhar Mustafa, Adv. Mr. Thakur Brajesh Singh, Adv.
For the State	:	Dr. Mrityunjaya Kr. Gautam, APP
For the Informant	:	Mr. Sanjeev Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 23-07-2026 Heard learned Advocate for the petitioners and
learned Advocate for the State.

2. The petitioners apprehend their arrest in connection
with Lauriya P.S. Case No.118 of 2026 registered for the



offences punishable under Sections 126(2), 115(2), 118(1), 109(1), 61(2), 191(2), 191(3), 190, 352, 351(2) and 3(5) of the BNS, 2023.

3. Allegedly, on the given date and time of occurrence, while the informant had gone to purchase vegetables, six named accused persons, including the petitioners, arrived there and allegedly assaulted him with a knife and an iron punch, causing serious injuries. On information, the nephew of the informant and other family members arrived at the place of occurrence and while they were taking the informant for medical treatment, in the way, the petitioners along with the other accused again intercepted them and brutally assaulted both the informant and his nephew. It is specifically alleged that co-accused Hasibur Rehman @ Rinku inflicted a knife blow on the left side of the chest of the informant's nephew, whereupon petitioner no. 2 allegedly assaulted him with a knife on his left shoulder. There are further allegations against petitioner nos. 1 and 4 of assaulting the informant and others with knife and scissor.

4. Learned Advocate for the petitioners, taking this Court through the allegations made in the F.I.R., submitted that the accusation against petitioner nos. 1 and 4 of inflicting



injuries by means of knife and scissor stands completely belied by the medical evidence. It is contended that the informant, Md. Ashrafulla, sustained only an injury, i.e. multiple abrasions on the face and body, which have been found to be simple in nature and caused by a hard and blunt object. Likewise, the allegation that petitioner nos. 1 and 4 caused injuries to Gayasuddin by sharp-cutting weapon is also not borne out from the injury report, as he sustained only a lacerated wound caused by a hard and blunt object, over the upper lip; obviously a non-vital part of the body. So far as petitioner no. 2 is concerned, it is submitted that the allegation is confined to inflicting a knife blow on the left shoulder of Intikhab Ahmad. The medical report records the injury around the upper left arm/left shoulder and, although learned Advocate fairly conceded that the said injury has been opined to be grievous in nature, it is contended that the same, by itself, does not warrant denial of anticipatory bail in the facts of the present case.

It is further submitted that all the petitioners belong to respectable families. Petitioner no. 1 is a first-year M.B.B.S. student at N.M.C.H., Patna; petitioner no. 2 is pursuing B.Tech. at Bhopal; and petitioner nos. 3 and 4 are also pursuing B.Tech. courses in private engineering colleges. It is contended that



there is no specific overt act attributed to petitioner nos. 3 and 5. Learned counsel further submitted that the informant and his nephew have political backgrounds and criminal antecedents and owing to previous enmity, the occurrence was a case of a free fight resulting in injuries to both sides. It is lastly contended that, as per the allegations contained in the FIR, the specific allegation of inflicting the grievous injury on the chest of the injured, Intikhab Ahmad, has been attributed to co-accused Habibur Rahman @ Rinku. Moreover, the petitioners bear fair antecedent and they undertake that they will fully cooperate in the proceedings of the Court.

5. Learned Advocates for the State as well as the informant vehemently opposed the prayer for anticipatory bail and submitted that the petitioners have actively participated in the occurrence due to which three persons have sustained serious injuries. It is specifically contended that petitioner no. 2 inflicted a knife blow upon the informant's nephew, resulting in a grievous injury on a vital part of the body, and the medical evidence fully corroborates the prosecution case.

6. Having considered the rival submissions and upon perusal of the materials available in the case diary, this Court finds that the medical evidence does not *prima facie* corroborate



the allegations of assault by knife or scissor against petitioner nos. 1 and 4 in relation to the injuries sustained by Md. Ashrafulla and Gayasuddin. Though the injury sustained by Intikhab Ahmad is consistent with the allegation against petitioner no. 2 and has been reported to be grievous in nature, considering the overall facts and circumstances of the case, the future prospects of petitioner nos. 1 to 4, who are students pursuing higher professional education, the absence of any criminal antecedent, taking lenient view, this Court is inclined to enlarge the petitioners on anticipatory bail.

7. Accordingly, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st West Champaran, Bettiah in connection with Lauriya P.S. Case No.118 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS, with further following conditions

(i) One of the bailors shall be the own/close family members of the petitioners.

(ii) If the petitioners are found involve in intimidating/



threatening the witnesses or the informant or would indulge in such activities in future, the informant/State shall be at liberty to file appropriate application for cancellation of their bail bond(s).

(Harish Kumar, J)

rohit/-

U		T	
---	--	---	--

