

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39386 of 2026

Arising Out of PS. Case No.-64 Year-2026 Thana- POTHIA District- Kishanganj

Karim @ Md. Abdul Karim S/o Abdul Salam R/o vill - Bawalgachchh Bihar
More, P.S.- Pothia, Distt.- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 17-06-2026 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. The learned counsel for the petitioner seeks
permission to make necessary correction in paragraph no. 7 of
the present anticipatory bail petition.

3. The same is accorded.

4. The learned counsel for the petitioner is directed to
make necessary correction in paragraph no. 7 of the anticipatory
bail petition during course of the day.

5. The petitioner apprehends his arrest in connection
with Pothia P.S. Case No. 64 of 2026, registered under Sections
126 (2), 127 (2), 115 (2), 117 (2), 109 (1), 352, 351 (2), 3 (5) of
the Bharatiya Nyaya Sanhita, 2023.

6. As per the prosecution story, which has been



lodged on the basis of the written report submitted by the informant to the effect that while he was going to his home on 19.03.2025 at around 6 a.m. all the accused persons, including the petitioner along with two other unknown persons caught hold of him and assaulted him for hours. It has been alleged that the petitioner pressed the neck of the informant with a leather belt, due to which he started suffocating and then he was left. It is further alleged that the accused persons threatened the informant not to file any complaint before the court or the police, and if it is found that a complaint has been made, the informant will be killed, therefore, he did not inform the matter to the police and subsequently filed the written report on 22.02.2026.

7. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He submits that the petitioner has been made an accused in this case due to village politics. He further submits that the occurrence is said to have taken place on 19.03.2025, however, the first information report has been lodged on 22.02.2026 i.e. a delay of almost one year and no explanation whatsoever has been given in the first information report with regard to delay in lodging the present first information report. He further submits that the



petitioner is an accused in four other cases, however, he has been released on bail in all the cases.

8. Per contra, the learned APP for the State vehemently opposes the prayer for grant of bail to the petitioner and submits that the petitioner is an accused in four cases and therefore, he does not deserves the privilege of anticipatory bail.

9. Having considered the rival submission and after going through the records, it appears that although the occurrence is said to have taken place on 19.03.2025, however, the first information report has been lodged on 22.02.2026 and no explanation whatsoever has been given in the first information report with regard to the delay in lodging the FIR. Let the petitioner, above named in the event of arrest/surrender within a period of six weeks from today, be released on anticipatory 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 A.C.J.M.-II, Kishanganj in connection with Pothia Case No. 64 of 2026, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, and subject to the following condition:-

(I) That the learned court concerned shall verify the



criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court concerned shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

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