

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40152 of 2026

Arising Out of PS. Case No.-21 Year-2026 Thana- AMDABAD District- Katihar

1. Washim Raja S/O Md. Tullu Hussain R/O Village-Paharpur, PS- Amdabad, Dist- Katihar
2. Md. Kashif Raja @ Kasif Raja S/O Md. Tullu Hussain R/O Village-Paharpur, PS- Amdabad, Dist- Katihar

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-06-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The accused-petitioners, named in the F.I.R., are apprehending their arrest in connection with Amdabad P.S. Case No. 21 of 2026 registered for the offences punishable under Sections 115(2), 118(1), 110, 352, 125(b), 351(3), 351(2) & 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. The allegation against the petitioners is to assault the informant and his family members alongwith other co-accused persons causing head and bodily injury. The assault alleged to be caused by using knife, lathi etc.

4. Learned counsel appearing on behalf of the petitioners submitted that the occurrence was free-fight in nature, where



both parties received injury during the occurrence, for which petitioners' side have also lodged a case, which has been registered as Amdabad P.S. Case No. 22 of 2026.

5. It is submitted that nature of injury not appears corroborated with manner of assault, as alleged. It is further submitted that upon medical examination, the nature of injury was found abraded, which also not supporting the allegation that assault was made by using knife and, moreover, upon medical examination the nature of injury was found simple. Both petitioners claimed clean antecedent.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. In view of the aforesaid factual submissions and by taking note of the fact as occurrence was primarily free-fight in nature, where both parties received injury during course of occurrence, coupled with the fact that nature of injury, upon medical examination, found simple, accordingly, both above-named petitioners, who are men of clean antecedent, in the event of their arrest/surrender within a period of four weeks from this order, are directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned



C.J.M., Katihar/concerned court in connection with Amdabad
P.S. Case No. 21 of 2026, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C/Section 482(2) of the
Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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