

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43998 of 2026

Arising Out of PS. Case No.-93 Year-2026 Thana- BARARI District- Katihar

Sohrab Ali @ Md. Sohrab Ali Son of Haji Mohammad Resident of Village -
Sirkiatta/ Sirkatta, P.S.- Barari, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-07-2026 Heard the learned Advocate for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Barari P.S. Case No. 93 of 2026, registered for the offences punishable under Sections 126(2), 115(2), 117(2), 109 and 352 of the BNS, 2023 and Section 75 of the Juvenile Justice Act, 2015.

3. On the given date and time of occurrence, while the son of the informant, aged about 11 years, went for playing in the mango orchard of the petitioner, he was brutally assaulted by the petitioner and also dashed by the motorcycle and burnt by silencer of the motorcycle.

4. Learned Advocate for the petitioner submitted that the alleged occurrence took place on 14.04.2026 at about 01:00 PM, but the present FIR came to be instituted on 16.04.2026,



after a delay of two days, without assigning any explanation for delay. The entire prosecution case falls to the ground for the simple reason that the injury report clearly suggest the burning wound on account of hot water. Moreover, all the injuries are found to be simple in nature. The petitioner submitted that since there was a dispute with regard to plucking of mango, therefore, the present FIR has been instituted to wreck vengeance and put pressure. The petitioner, subsequent to the institution of this FIR, also made accused in one-another case, however, prior to the institution of the present case, the petitioner had absolutely clean antecedent.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submitted that serious allegation has been levelled against the petitioner of causing assault to a minor boy of the informant.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the informant was not an eyewitness to the alleged occurrence, coupled with the delay in lodging of the FIR, as also the simple nature of injuries, 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, I/C, Katihar in connection with Barari P.S. Case No. 93 of 2026, 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.

(Harish Kumar, J)

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