

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52583 of 2025

Arising Out of PS. Case No.-349 Year-2024 Thana- BETTIAH CITY District- West
Champaran

=====

Samir Mian @ Md. Samir S/o Aarman Main @ Md. Arman R/o Village-
Dwardevi Chowk, P.S.- Kalibagh, District- West Champaran, Bettiah, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :
For the Petitioner/s : Ms.Preeti Kumari
For the Opposite Party/s : Mr.Md. Fahimuddin

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 806-04-2026
1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out
of Bettiah Town Police Station Case No. 349 of 2024,
dated 27.07.2024, disclosing offences punishable under
Sections 126(2)/115(2)/118(1)/109(1)352/351/3(5) of the
Bhartiya Nyaya Sanhita, 2023.

3. The prosecution case, as per the First Information Report,
is that on 17.07.2024, at about 10:05 PM, the petitioner
and other accused persons arrived in front of the house of
the informant on a motorcycle, having no silencer. The
informant requested the accused persons not to make
noise through motorcycle, upon which the petitioner and



other accused persons started abusing and attacked the informant. It has been alleged that the petitioner has assaulted the informant by means of knife on his chest and when one Jamal Mian intervened to save the informant, other accused persons assaulted him also.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to village rivalry. The allegation against the petitioner that he assaulted by means of knife on the chest of the informant, but during the entire investigation, the prosecution has not brought any injury report of the informant, Farman Alam. From the impugned order, it appears that the injuries caused to the informant's friend, Arman Alam, against whom there is no whisper in the First Information Report, are simple in nature. The injury report of the another injured, Jamal Mian, has also not been brought on record. The petitioner is having no criminal antecedent.
5. Learned Additional Public Prosecutor, referring to the case diary, submits that the injury report of Arman Mian is on record, which are simple in nature, The injury reports of the informant, Farman Alam, as well as another



alleged injured, namely, Jamal Alam, are not on record.

- 6. Considering the nature of allegation and the fact that the prosecution has failed to produce the injuries sustained by the informant and Jamal Mian and the petitioner is having no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.
- 7. This application is, accordingly, allowed.
- 8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-II, West Champaran, at Bettiah, in connection with Bettiah Town Police Station Case No. 349 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

