

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51169 of 2026

Arising Out of PS. Case No.-110 Year-2026 Thana- PATKHAULI District- West Champaran

Israfil Ansari @ Mohammad Israfil @ Israfil Miaya S/o Late Serajul Miya
Resident of village -Mangalpur, Ward No. 09, Police Station - Pathkhauli,
District -West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar, Sahay, Adv.
Mr. Rakesh Kumar Mishra, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-07-2026 Heard learned Advocate for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Patkhauli P.S. Case No. 110 of 2026 registered for the offences punishable under Sections 126(2), 115(2), 117(2), 109(1), 352, 351(2) and 3(5) of the BNS.

3. The prosecution case, in brief, is that on account of an objectionable act allegedly committed by the co-accused, Saifullah Ansari, with the informant's daughter, went to his house and apprised his guardian of the same. Aggrieved thereby, it is alleged that the co-accused, Saifullah Ansari, assaulted the informant with a knife, causing sharp-cut injuries to his finger and ear. So far as the present petitioner is concerned, the allegation against him is



that he assaulted the informant's sister with an iron rod on her head, which led to serious injury.

4. Learned Advocate for the petitioner submitted that the genesis of the occurrence is a long-standing land dispute between the parties, which culminated in a free fight, leading to the institution of a case and a counter case. There is a counter version of the present case, being Patkhauri P.S. Case No. 114 of 2026, against the informant and others. So far as the petitioner is concerned, the allegation is confined to causing injury to the informant's sister, whose injury has been found to be simple in nature. The petitioner is a septuagenarian having clean antecedent and he himself also sustained a fracture injury to his hand during the same occurrence, which is duly supported by the injury report brought on record.

5. *Per contra*, learned Advocate for the State vehemently opposed the prayer for bail and submitted that the petitioner has actively participated in the occurrence and brutally assaulted the informant's sister with an iron rod.

6. Having considered the rival submissions advanced on behalf of the parties and taking note of the factum of case and counter case, coupled with the simple nature of injury attributed to the petitioner, besides his fair antecedent and



advanced age, let the above named petitioner, be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st Bagaha, West Champaran or the court concerned where the case pending presently in connection with Patkhauri P.S. Case No. 110 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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