

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52391 of 2026

Arising Out of PS. Case No.-331 Year-2026 Thana- SASARAM NAGAR District- Rohtas

Talib, Son of Samsuddin Rain @ Samsuddin, Resident of Mohalla- Kabirganj,
P.S-Sasaram (T), District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jai Prakash Singh, Adv.
For the Opposite Party/s	:	Mr. Ashok Kumar Singh, APP
For the Respondent	:	Ms. Sweta Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner apprehends arrest in connection with
Sasaram (T) PS Case No. 331 of 2026 lodged on 03.05.2026,
for the offences punishable under Sections 126(2), 115(2),
118(1), 109(1), 352 and 3(5) of B.N.S. and Section 27 of the
Arms Act.

3. As per the prosecution, the FIR has been lodged
against two named and one unknown accused person. The
allegation against the petitioner is that he is the order giver of
the alleged incident and subsequently, after taking country made
pistol (*katta*) from the hands of co-accused person, he fled away
from the place of occurrence.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel further submits that the petitioner is having clean antecedent and whatever the allegations are, the same are against the co-accused persons. Learned counsel further submits that on account of drainage dispute between the parties, the alleged occurrence has taken place in which both the sides have assaulted each other.

5. Learned counsel for the informant opposes the prayer for bail and submit that the injuries caused to the injured found to be grievous in nature and the petitioner himself is the order giver hence, requested that the present bail application may be rejected.

6. Learned APP for the State also opposes the prayer for bail but fairly submits that when the children of the locality were playing cricket, the alleged occurrence has taken place and there is only allegation against the petitioner that he is the order given and subsequently fled away from the place of occurrence by snatching the country made pistol (*katta*) from the hands of co-accused.

7. In the facts and circumstances of the case and considering the fact that there is no allegation of overt act



against the petitioner, let the above-named petitioner be released on bail, in the event of her arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand only) each, as mentioned in Section 2(1)(d) of the Bharatiya Nagrik Suraksha Sanhita, 2023, to the satisfaction of the learned CJM, Rohtas in connection with the aforementioned case, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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