

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74537 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- AWTARNAGAR District- Saran

Sabbir Hussain @ Sabir Hussain S/o Late Safir Rahman @ Late Safir Rahman Mian @ Pipal Mian Resident of Village- Mahuani, P.S.- Awtar Nagar, Dist.- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the State : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 20-02-2026 Heard Mr. Ajay Kumar Tiwary, learned counsel
for the petitioner and Mr. Dr. Kumar Uday Pratap, learned APP
representing the State.

2. The petitioner is apprehending his arrest in connection with Awtar Nagar P.S. Case No. 94 of 2025 registered for the offence under Sections 126(2), 115(2), 109, 118(1), 303(2), 352, 351(2), 351(3), 191(2) and 191(3) of the Bharatiya Nyaya Sanhita, lodged on 08.04.2025 by the informant, Imtiyaz Hussain.

3. As per the prosecution story, the informant alleged that due to land dispute first the abuse and then the assault took place. Allegation against all the accused person is of assaulting number of persons on the side of the informant causing injuries,



they were shifted to the Dighwara Hospital. This led to the F.I.R..

4. Learned counsel for the petitioner submits that a perusal of the F.I.R. would show that the allegation has been found to be omnibus in nature, this petitioner has no criminal antecedent and further, the learned Sessions Judge order would show that the injuries have been found to be simple in nature, if granted relief he shall be diligently appearing in trial.

5. Learned APP opposes the prayer submitting that section 109 of the B.N.S. amongst other is there against the petitioner.

6. Allegation is there, it is omnibus in nature, no specific role has been attributed to the petitioner, he do not have criminal antecedent, injuries have been found to be simple in nature and an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, First Class, Chapra,



Saran, in connection with Awtar Nagar P.S. Case No. 94 of 2025 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the petitioner shall appear before the concerned police station every month for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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