IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72412 of 2026

CNR No. BRHC011068062026

Arising Out of PS. Case No.-135 Year-2026 Thana- GAUNAHA District- West Champaran

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Majid Mian @ Majjid Minya W/o Kasim Mian @ Kasim Minya Resident of village- Kukura, P.S.- Shikarpur, District- West Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Mayank Mohan, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-10-2026 Heard Mr. Mayank Mohan, learned counsel for the petitioner and Mr. Jitendra Kumar Singh, learned APP.

2. The petitioner is apprehending his arrest in connection with Gaunaha P.S. Case No. 135 of 2026 for the offence under sections 126(2), 115(2), 118(1), 109(1), 303(2), 352, 351(2) and 3(5) of the B.N.S. lodged on 02.06.2026 by the informant, Sabnesha Khatoon.

3. As per the prosecution story, the informant alleged that she was staying at her mother's home along with her husband when the accused persons firstly came, abused and later assaulted. The allegation is that the wife of the petitioner gave him a sword which was used to be struck on the head of the informant, causing injury. When the family came to rescue, they were also assaulted. This led to the FIR.

4. Learned counsel for the petitioner submits that

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delayed FIR is there inasmuch as the allegation is of 28.05.2026 but the FIR was lodged on 02.06.2026. Further, injury has been found to be simple in nature and the last submission is that petitioners do not have criminal antecedent.

5. Learned APP opposes the prayer submitting that allegation of using sword on the head is there.

6. Taking into account the submissions of the parties as also taking it into account the delayed FIR coupled with the fact that injury has been found to be simple in nature and the petitioner do not have criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

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 J.M.F.C., West Champaran, Bettiah in connection with Gaunaha P.S. Case No. 135 of 2026 subject to the following conditions:

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

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(ii) 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 bail bond by the Trial Court itself;

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

(iv) the petitioner shall appear before the concerned police station every month for six months to mark his attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the 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 his bail bonds.

(Rajiv Roy, J)

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