

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74426 of 2025

Arising Out of PS. Case No.-88 Year-2025 Thana- AMDABAD District- Katihar

Nabbir @ Md. Nabbir S/o- Md. Kabil @ Sk. Kabil R/v- Paharpur Pani Kamla
Ps- Amdabad Dist- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate
	:	Mr Nafisu Zzoha, Advocate
	:	Mr. Raghbir Alam, Advocate
	:	Mr. Nafisu Zzoha, Advocate
For the Opposite Party/s	:	Mr. Dilip Kumar No. 1, A.P.P.
For the Informant	:	Mr. Sanjeev Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 19-03-2026 Heard Mr. N.K. Agarwal, learned Senior Counsel

for the petitioner, Mr. Sanjeev Kumar Singh, learned counsel for
the informant and Mr. Dilip Kumar No. 1, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
26.04.2025 in connection with Amdabad P.S. Case No. 88 of
2025 for the offences punishable under Sections 126(2), 115(2),
118(1), 109, 125(b) and 351(2)(3) of BNS.

3. The prosecution story, in brief, is that on 10.04.2025
at around 12.00 hours the informant namely Sk. Javed was
coming from a marriage ceremony to Amdabad. When he
reached near "Nayyar Cloth Shop" at Paharpur Bandh, the



petitioner / accused running a poultry shop, stopped him and demanded his motorcycle for 10 minutes. On refusal, the petitioner snatched the key of the motorcycle. On altercation, the petitioner brought out a knife from his shop and gave a knife blow on the neck of petitioner with the intention to kill him causing severe injury. The informant fell down, and the petitioner / accused again gave a knife blow on his abdomen. Hearing the commotion, the villagers rushed towards the spot but the petitioner fled away. It is stated that the petitioner / accused had earlier also attempted to kill informant one year back. The informant was taken to Katihar Sadar Hospital Katihar where he received 14 stitches in his neck and three in his abdomen, and the doctor advised an operation.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent however, there is specific allegation against the petitioner in the FIR that he has assaulted the informant but from perusal and background of the FIR it appears that due to petty dispute the present occurrence took place and there is no intention on the part of the petitioner to kill anyone although the injury inflicted upon the informant is grievous in nature and the police after investigation submitted charge-sheet against the petitioner.



5. The learned Additional Public Prosecutor and learned counsel for the informant, on the other hand, have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that petitioner is a person with clean antecedent and the period of custody, let the petitioner, above named, 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 the learned Principal District and Sessions Judge, Katihar in connection with Amdabad P.S. Case No. 88 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be canceled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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