IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77291 of 2026

CNR No. BRHC011114282026

Arising Out of PS. Case No.-115 Year-2026 Thana- BAIKUNTHPUR District- Gopalganj

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Fateh Ali @ Fate Ali S/o Haider Ali Resident of Safiabad, P.S. - Baikunthpur, District - Gopalganj.

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Md Fazle Karim, Advocate
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 05-11-2026 Heard learned Advocate for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Baikunthpur P.S. Case No.115 of 2026 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109(1) & 352 of the BNS.

3. Allegedly, on the given date and time of occurrence, while the informant's daughter had gone to answer the call of nature, the petitioner assaulted her by inflicting a knife blow on her neck.

4. Learned Advocate for the petitioner submitted that, on a bare perusal of the FIR, it would transpire that the genesis of the occurrence lies in previous enmity between the parties. It

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is further contended that a case is already pending between the informant and co-accused Sabbir Ali, with which the petitioner has no concern whatsoever. It is, thus, submitted that merely with a view to exert pressure upon Sabbir Ali and other family members of the petitioner, his name has been falsely implicated in the present case. It is further submitted that the petitioner is a young boy of tender age, aged about 19 years, who has recently passed his Intermediate examination, and his incarceration at this stage would seriously jeopardize his future career. Lastly, it is contended that the petitioner is carrying a fair antecedent and, as categorically stated in paragraph No.20 of the bail application, the injuries sustained by the victim have been opined to be simple in nature.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that the petitioner is facing a specific accusation of inflicting knife blow over the vital part of the victim, and as such, he does not deserve the privilege of anticipatory bail.

6. Considering the rival submissions advanced by learned Advocates for the respective parties, and taking note of the submission made in paragraph No.20 of the bail application that the injury is opined to be simple in nature, and the

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petitioner is a boy of tender age having fair antecedent, 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 C.J.M., Gopalganj in connection with Baikunthpur P.S. Case No.115 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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