IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78406 of 2026

CNR No. BRHC011136862026

Arising Out of PS. Case No.-299 Year-2025 Thana- BELDOUR District- Khagaria

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Md Imtiyaz @ Imtiaz S/o Md. Sharif @ Sarif R/o Village- Chorhli, Ward No.5, P.S.- Beldaur, District- Khagaria.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Virendra Kuar, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-11-2026 Heard Mr. Virendra Kuar, learned counsel for the petitioner and the learned APP.

2. The petitioner is apprehending his arrest in connection with Beldaur P.S. Case No. 299 of 2025 for the offence under sections 126(2), 115(2), 303(2), 109, 352, 351(2 & 3), 3(5) of the Bharatiya Nyaya Sanhita lodged on 30.09.2025 by the informant, Sudha Devi.

3. As per the prosecution story, the informant alleged that all the named accused persons armed variously came and assaulted her father-in-law, Jagdeo Sharma causing injury and he was shifted to Mayaganj Hospital, Bhagalpur. This led to the FIR.

4. Learned counsel for the petitioner submits that they

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are next door neighbours and a scuffle took place which has been exaggerated. Though they earlier compromised, later the informant appeared and informed the learned Sessions Judge that no compromise has taken place. The injury has been found to be simple in nature.

5. Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioner on its own would like to contribute Rs. 5,000/- towards the medical assistance through Demand Draft issued by the local State Bank of India/any Nationalized Bank branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

6. Learned APP opposes the prayer submitting that though injury is simple in nature, an omnibus allegation of assault is there.

7. Taking into account the submissions of the parties as also that the injury has been found to be simple in nature, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 5,000/- as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of

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India branch/any Nationalized bank branch to be submitted to the Trial Court and handed over to the informant.

8. 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, Khagaria in connection with Beldaur P.S. Case No. 299 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 (Aadhaar Card/Voter ID Card/Pan Card/Driving License) to show his/her bona fide;

(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

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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.

9. It is made clear that if the submissions put forward by the learned counsel for the petitioner that the injury is simple in nature is found to be incorrect, the order shall become infructuous.

(Rajiv Roy, J)

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