IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80038 of 2026

CNR No. BRHC011173832026

Arising Out of PS. Case No.-314 Year-2026 Thana- SAHARSA SADAR District- Saharsa

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Md. Sharif S/o Md. Batoria @ Md. Naim R/o Ward no. 35, P.S. - Saharsa Sadar, Dist. - Saharsa.

... ... Petitioner/s

Versus

1. The State of Bihar
2. Noorjaha Parveen W/o Md. Ayub R/o Ward no. 35, P.S. - Saharsa Sadar, Dist. - Saharsa.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sunny Kumar, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

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

02. In the present case, the petitioner seeks bail in connection with Saharsa Sadar P.S. Case No. 314 of 2026 (Session Trial No. 247 of 2026) registered for the alleged offences under Sections 308(3), 118(1) and 109 of the Bharatiya Nyaya Sanhita, 2023.

03. As per the prosecution case, the petitioner stabbed the husband of the informant causing a number of injuries to him. The occurrence took place in the background of demand of extortion money by the petitioner.

04. Learned counsel for the petitioner submits that the

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petitioner is innocent and has been falsely implicated in this case. The petitioner and the informant come from the same family and some altercation and scuffle took place and the husband of the informant received injuries in the said scuffle. Learned counsel further submits that the injuries mentioned in the rejection order show only superficial and simple injuries as the injuries are a lacerated wound over occipital region of size 3 cm x 1 cm, two sharp cut wounds over left side of neck of size 1 cm x ½ cm x ½ cm x skin deep and ½ cm x ½ cm x skin deep, respectively. The petitioner is having antecedent of one case in which he has been acquitted. The petitioner is in custody since 28.03.2026 and charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the simple, superficial and non-serious nature of injuries of the victim and also considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional

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Sessions Judge-IV, Saharsa/court concerned in connection with Saharsa Sadar P.S. Case No. 314 of 2026, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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