

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87089 of 2025

Arising Out of PS. Case No.-82 Year-2025 Thana- BARHARA KOTHI District- Purnia

Md. Babar, aged about 30 years (male) Son of Md. Samim @ Md. Shamim
Akhtar, Resident of Village- Bhadaul, P.S- Madhepura, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Singh, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-01-2026 Heard Mr. Vikram Singh, learned counsel appearing
on behalf of the petitioner and Mr. Ram Anurag Singh, learned
APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Kothi P.S. Case No. 82 of 2025 registered for the offence
punishable under Sections 126(2), 115(2), 118(2), 74, 351(2),
352, 3(5) of the B.N.S. and Section 27 of the Arms Act.

3. As per the allegation made in the FIR, petitioner
along with other co-accused persons had entered into the house
of the informant and had assaulted him and his family members
causing injuries. FIR is against 17 known accused persons
including the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and have falsely



been implicated in the present case. Both the parties were involved in dispute with respect to a piece of land, due to which, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioner may have caused some injury to the persons of the informant, without intention. There is case and counter case between the parties. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that both the parties were involved in dispute with respect to a piece of land, due to which, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioner may have caused some injury to the persons of the informant, without intention. There is case and counter case between the parties. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of



four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Kothi P.S. Case No. 82 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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