

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86128 of 2025

Arising Out of PS. Case No.-29 Year-2025 Thana- JIYAPOKHAR District- Kishanganj

1. Saddam Hussain @ Saddam S/o- Karmulla Village- House No 30
Bandarjhula PS- Jiyapokhar Distt- Kishanganj
2. Janarul @ Mohamad Janna S/o- Karmulla Village- House No 30
Bandarjhula PS- Jiyapokhar Distt- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha

For the Opposite Party/s : Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-01-2026 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 115(2),
118(1), 126(2), 109(1), 352, 351(2) and 3(5) of the B.N.S.

3. Learned counsel for the petitioners submits that
petitioner no.1 has antecedent of three cases and petitioner no.2
has antecedent of one case. It is next submitted that no doubt
petitioner no.1 has antecedent of three cases but then the
offences for which FIRs were registered were under minor
sections of the Indian Penal Code. It is further submitted that
informant alleges that on account of dispute relating to



preference in voting, Saddam (petitioner no.1) snatched his motorcycle and made him sit on the motorcycle in between two accused and Saddam asked the pillion rider to cut his throat by knife, on which, pillion rider stabbed him on his thigh, on account of which, informant fell from the motorcycle and the motorcycle collided twice with other motorcycle during the occurrence, on account of which, he became unconscious.

4. Learned counsel submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to voting, it is alleged that petitioners forcefully made the informant sit on a motorcycle and petitioners asked the pillion rider to cut his throat by knife and the pillion rider stabbed him in his thigh causing injury, on account of which, he fell from the motorcycle but then it is submitted that from perusal of the injury report annexes as Annexure-P/3 to the anticipatory bail application, it would manifest that the injuries have been opined to be simple in nature caused by hard and blunt substance. It is thus submitted that allegation of stabbing gets belied by the injury report. It is further submitted that the case is more politically motivated.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Jiyapokhar P.S. Case No.29/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Satyavrat Verma, J)

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