

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88333 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- GARHI District- Jamui

Md. Babar Mian @ Babar Mian S/O Ialayas @ Ismayil R/O Vill.- Purani
Jhiktti, P.O.- Baribag, P.S.- Garhi, Dist.- Jamui, - 811317

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Mani, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

For the Informant : Mr. Raj Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-01-2026 Heard Mr. Rahul Mani, learned counsel for the
petitioner, Mr. Raj Kumar Sinha, learned counsel for the
informant as well as Mr. Nirmal Kumar Sinha, learned APP for
the State.

2. The petitioner is apprehending his arrest in
connection with Garhi P.S. Case No. 114 of 2025, F.I.R. dated
22.07.2025 for the offences punishable under Sections 126(2),
115(2), 118(1), 329(3), 76, 303(2), 352, 351(2), 109(1) and 3(5)
of the BNS, 2023.

3. According to prosecution case, all the accused
persons including this petitioner armed with iron rod, sword and
other deadly weapons brutally assaulted the informant and his
brother and also tried to outrage the modesty of the informant's
niece.

4. Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case due to admitted land dispute between the parties. He further submits that although there is direct and specific allegation of assault against the petitioner but there is no intention to kill anyone.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that it appears from the F.I.R that there is direct and specific allegation against the petitioner that he has assaulted the brother of the informant namely, Shamim by means of sword due to which he received three injuries and out of these three injuries, one injury is grievous in nature and apart from that the petitioner carries two criminal antecedents other than the present one.

6. Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Garhi P.S. Case No. 114 of 2025 pending in the court of J.M. 1st Class, Jamui.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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