

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88086 of 2025

Arising Out of PS. Case No.-78 Year-2025 Thana- ABADPUR District- Katihar

Nazim @ Md. Nazim Son of Late Md. Samsul Resident of village - Udaipur,
Police Station - Abadpur, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate.

For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 12-01-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Abadpur P.S. Case No.78 of 2025 instituted under Sections
126(2), 115(2), 109, 117(2), 74, 352, 351(2), 3(5) of the B.N.S.,
2023.

3. As per the prosecution case, the marriage of sister
of informant was solemnized with the petitioner two years ago
but talaq has been taken six months ago and some articles is yet
to be returned back and due to old enmity, all the accused
persons including the petitioner variously armed with weapon
came at the place of occurrence and started abusing. It is alleged
that all the accused persons assaulted the informant and his
family members. Specific allegation against the petitioner is that



he attacked on the head of Zarifa Khatoon and Ataur Rahman by sharpened edged substance with intention to kill. It is further alleged that petitioner snatched the silver chain from one Sabnam.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case due to previous enmity. He further submits that there is matrimonial dispute between the parties with respect to returning of articles given in marriage. Learned counsel submits that there was free fight due to which both the parties sustained injuries and there is case and counter case between the parties. He further submits that the injury sustained by injured Ataur Rahman is simple in nature and the nature of injury with respect to injured Zarifa Khatoon has been kept reserve, however, from the perusal of her injury report, it shows that the injury is caused by hard and blunt object which is not corroborative to the case of the prosecution. Learned counsel submits that petitioner has got clean antecedent and he undertakes to cooperate in the investigation and trial of the case.

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

6. Considering the facts and circumstances of the case



and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned A.C.J.M.-III, Katihar/ concerned Court in connection with Abadpur P.S. Case No.78 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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