

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1262 of 2026

Arising Out of PS. Case No.-365 Year-2025 Thana- CHHATAUNI District- East Champaran

Md. Shahid Ali @ Saheb Alam S/O Md. Islam Ansari @ Islam Miyan R/O
Chhota Bariyarpur, P.S.- Chhatauni, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 23-02-2026 Heard learned counsel for the petitioner and learned
APP for the State and the learned counsel for the informant.

2. The petitioner seeks bail in anticipation of his arrest in connection with Chhatauni P.S. Case No. 365 of 2025 instituted for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 74 and 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the allegation against the petitioner is that he along with other named accused persons armed with farsa had assaulted the brother-in-law of the informant resulting in severe injuries.

4. Learned counsel for the petitioner submits that the allegation of assault by the accused persons including the petitioner is falsified from the injury report which states that the



three injuries which were found on the head were of the size 4"x Muscle deep, 2"x Muscle deep, 3"x Muscle deep were all simple in nature while one of the injuries which was fracture of little finger was found to be grievous, which is on non-vital part of the body. It is further submitted that the petitioner has falsely been implicated and no such incident, as alleged, has occurred and, in fact, the informant in a very pre-planned manner after going through the injuries has implicated each and every person including the petitioner. It has lastly been submitted that the petitioner has clean antecedent.

5. Learned APP appearing on behalf of the State as well as the learned counsel for the informant vehemently opposed the prayer for anticipatory bail and have stated that the petitioner along with others have made repeated assault on the vital part of the body and therefore, the intention to kill was present and therefore, the petitioner should not be granted the liberty of anticipatory bail.

6. Considering the facts aforesaid, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Chhatauni P.S. Case No. 365 of 2025, subject to the conditions as laid down under Section 482 of the BNSS and subject to 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, if so required by the learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

7. It is made clear that the observations, if any, made



in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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