

In the Court of Sessions Judge, Darbhanga.**A.B.P. No. 1195/2026**

1.Md. Kalam son of Md. Bashir
 2.Md. Naiyam (Sedi) son of Md.Avis
 3.Md.Sajjad son of Md. Safikul
 4.Md. Ali Hussain son of Md. Basir
 5.Md.Ramjani son of Md. Basir
 6.Nabisha wife of Md. Naiyam(Sedi) daughter-in-law of Late Md. Ajij
 7.Hasbul Khatoon wife of Md. Ajij
 8.Soniya Khatoon wife of Ali Hussain-----Petitioners.

Versus

The State of Bihar..... Opposite Party.

For the petitioners : Shri Md. Arzoo, Learned Advocate.
 For the O.P.(State): Shri A.N. Jha, Learned Public Prosecutor.
 For the informant : Shri Sharwan Kumar, Learned Advocate.

ORDER

20.08.2026: Application for anticipatory bail has been filed on behalf of the petitioners namely **Md. Kalam, Md. Naiyam(Sedi), Md. Sajjad, Md.Ali Hussain, Md.Ramjani, Nabisha, Hasbul Khatoon and Soniya Khatoon**, who are apprehending their arrest in connection with Baheri PS Case No. 457 of 2026 for the offences U/Ss. 126(2),115(2),74, 110, 3(5) of the BNS, pressed today.

2. Heard the learned counsel for the petitioners and the learned Public Prosecutor for the State.

3. The allegation is that on the alleged date of occurrence of 9.06.2026 at 10.30 AM accused Kalam and his son demanded cash of Rs.500/- and when informant refused, accused persons namely Md. Kalam, Md. Nayeem(Sedi), Md.Sajjad, Md. Ali Hussain, Md. Ramzani, daughter-in-law of Md. Ajij, Hasbul Khatoon and Soniya Khatoon assaulted abused and assaulted the informant with brick. They also assaulted informant's mother, leading into the institution of the present case.

4. It is submitted on behalf of the petitioners that the petitioners are quite innocent and have committed no offence and have falsely been implicated in the present case. It has further been submitted that no occurrence as alleged in the First Information Report has ever taken place. The further submission is that there is case and counter-case between the parties and as a matter of course, no offence as alleged in the First Information Report has ever taken place, rather the present case is counter-blast of Baheri P.S Case No. 461 of 2026 instituted at

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behest of accused petitioner Md. Kalam. The present case is outcome of ill-mechanism at the behest of the informant. Further submission is that even if the allegation in the First Information Report has gospel truth about the occurrence, no offence u/s 110 of the BNS is attracted in wants of constituting ingredients. Moreover, the investigation has already been completed ruling out possibility of any inference during investigation. Hence, the petitioners may be granted the privilege of anticipatory bail.

5. On the other hand, the learned Public Prosecutor opposes the prayer for anticipatory bail.

6. Heard and perused the case record of the learned trial court summoned and received attached with the case diary. Para-05 is the re-statement of the informant supporting the occurrence. Para-4 is the description of place of occurrence. Para no. 7 and 8 of the case diary reflects the statement of witnesses supporting the occurrence. Para- 14 of the case diary reflects clean antecedent report of accused petitioners. The injury report of Samida Khatoon reflects lacerated wound over right forehead with red clot. The doctor has opined the injury is simple in nature, caused by hard and blunt substance. The investigation has already been completed extending the benefit u/s 35(3) of the B.N.S.S to the petitioners and there is nothing on record to suggest that they ever misused the privilege granted in their favour.

7. Under the facts and circumstances of the present case, the nature of allegation and the clean antecedent of the petitioner, the prayer for anticipatory bail of the petitioners stands allowed. Accordingly, in the event of their arrest or surrender before the learned court below within four weeks from the date of receipt of this order, let the petitioners namely **Md. Kalam, Md. Naiyam(Sedi), Md. Sajjad, Md.Ali Hussain, Md.Ramjani, Nabisha, Hasbul Khatoon and Soniya Khatoon** be released on bail on furnishing bail bond of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount to the satisfaction of the court of Shri Abhishek Panwar, learned J.M.F.C., Darbhanga subject to conditions as laid down u/s u/s 482(2) of the B.N.S.S..

Dictated

(Ajay Kumar Sharma)
Sessions Judge, Darbhanga,
20.08.2026.

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