

In the Court of Sessions Judge, Darbhanga.**A.B.P. No. 1196/2026**

1.Md.Manjoor son of Md. Muslim
 2.Md.Guljar son of Md. Muslim
 3.Manjira Khatoon wife of Md.Guljar
 4.Afsana wife of Manjoor
 5.Samida Khatoon wife of Md. Muslim-----Petitioners.
 Versus

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

For the petitioners : Shri Sharwan Kumar, Learned Advocate.

For the O.P.(State): Shri A.N. Jha, Learned Public Prosecutor.

For the informant : Shri Md. Arzoo, Learned Advocate.

ORDER

20.08.2026: Application for anticipatory bail has been filed on behalf of the petitioners namely **Md.Manjoor, Md. Guljar, Manjira Khatoon, Afsana and Samida Khatoon**, who are apprehending their arrest in connection with Baheri PS Case No. 461 of 2026 for the offences U/Ss. 126(2),115(2),329(3),74, 303(2), 351(2),352(2),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 10.00 AM when informant reached at Habidih chowk, accused Md. Manjoor in drunken stage demanded cash of Rs.1000/-for taking liquor and on refusal by the informant, accused dashed the informant, but anyhow informant managed to flee away from there and reached at his house. Accused Md. Manjoor, Md.Guljar, Manjira Khatoon, Afsana, Samida Khatoon, duly armed with various weapons came at the house of informant and attacked upon him. On the dictate of Md.Manjoor accused Md. Guljar assaulted informant causing injury on his right hand and upper part of arm. The accused persons also assaulted him with lathi. When informant's sister-in-law Soni Parween intervened then accused persons also assaulted her and torn her dress and committed theft of golden chain, 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

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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. 457 of 2026 instituted at behest of accused petitioner Md. Manjoor. 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 74 and 303(2) 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 one other case is pending against accused petitioner no.1 Md. Manjoor and petitioner no. 2 to 5 carrying clean antecedent. The injury report of Soni Parween reflects elliptical abrasion on the right hand. 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. There appears no requirement of any custodial interrogation of accused petitioners.

7. Under the facts and circumstances of the present case, the nature of allegation, where the investigation against the petitioners have already been completed ruling out any possibility of inference during investigation and there appears no requirement of custodial interrogation, the prayer for anticipatory bail

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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.Manjoor, Md. Guljar, Manjira Khatoon, Afsana and Samida 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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