

IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-1,
EAST CHAMPARAN, MOTIHARI.
Anticipatory Bail Petition No. 422 of 2022
(Arising out of Turkauliya P.S. Case No. 143/2025)

1. Sabir Mian, s/o Rahmullah Mian

Resident of vill – Rampur Chargaha, P.S. Turkauliya, District- East Champaran.

----- **Petitioner**

VERSUS

State of Bihar ----- **Opp. Party.**

Appearance: -

Counsel for the accused : - Sri Ajay Sahani, Ld. Advocate.
Counsel for the State/O.P. : - Sri Khublal Prasad, Ld. P.P.

Date of Order: 01.04.2026

ORDER

This anticipatory bail petition has been filed on behalf of the above named petitioner, who is apprehending his arrest in connection with Turkauliya P.S Case No. 143 of 2025, U/s-126(2), 115(2), 118(1), 117(2), 109, 303(2), 3(5) of the B.N.S.

Heard, the Ld. counsel appearing on behalf of petitioner and Ld. P.P.(I/C) on behalf of State/O.P.

The case of the prosecution in brief as stated by the informant Vinod Rai in his written report submitted before the police is that on 02.04.2025 there was a hot talk between informant and Rahamatullah Mian for breaking corn and the dispute was settled by punch. On 03.04.2025 at about 7:30 AM he had gone to Chargahon Committee chowk to buy prasad for chaiti chhath, suddenly 15-20 persons attacked on him and petitioner Sakir Mian assaulted him with farsa on his head due to which he sustained head injury and blood started oozing out. Sabir Mian assaulted him with iron rod on his chest due to which his chest bone was broken. Petitioner Rahamatullah Mian assaulted him with iron rod due to which his chest bone was broken. Jismullah Mian snatched money from his pocket. Hakmullah Mian assaulted him with iron rod on his chest. Haki Mian and Seraj Mian strangulated him by putting gamchha on his neck. Jameel Mian pushed him on the ground. Pappu Mian snatched his wrist watch. Akhtar Mian and Shahzad Mian were saying that they would burn him by sprinkling petrol on him. Informant could not identify some other accused persons.

Ld. counsel appearing on behalf of accused petitioner has submitted that petitioner is innocent, has not committed the offence and he has falsely been implicated in this case. No other regular or anticipatory bail petition has ever been filed on behalf of the petitioners either before this court or any superior court. Petitioner has no criminal antecedent. Further it has been submitted that the allegations whatsoever leveled against the petitioners are false,

In the court of District & Addl. Sessions Judge-1, East Champaran, Motihari.

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fabricated, manipulated and concocted. Further it has been submitted that no such type of occurrence took place and no such type of injury sustained by the informant. There is a land dispute between both the parties. Petitioner is ready to abide all the terms and conditions imposed by the court.

On other hand, Ld. Public Prosecutor appearing on behalf of State opposed the prayer for anticipatory bail.

Heard both sides and perused the record. From the perusal of record it appears that that the petitioner is named in the F.I.R. There is allegation against the petitioner that he assaulted to the informant with iron rod on his chest due to which his chest bone was broken. Injury report of informant Vinod Yadav is mentioned where he sustained lacerated wound on frontal part of head and swelling on left side of temporal region of head, nature of injury reserved, caused by hard and blunt substance. Ld. P.P. has submitted the up-to-date injury report of the injured Vinod Yadav in which injury shows **grievous in nature**. At this stage in my opinion it will not be proper to grant them the privilege of anticipatory bail.

Considering the aforesaid facts and circumstances of the case, and nature and gravity of the offence alleged, I am not inclined to grant anticipatory bail to the above named accused petitioner and accordingly, this anticipatory bail petition is hereby **rejected**.

(Dictated)

Sd/-

(Surendra Prasad)
District & Addl. Sessions Judge-1,
Motihari, East Champaran.
Dated :- 01.04.2026