

## **In the Court of Sessions Judge, East Champaran at Motihari**

**Present:-**

**Abhishek K. Das,  
Sessions Judge,  
East Champaran at Motihari**

**Bail Petition No.535 of 2026**

**1. Mahaboob Khan, S/o- Abdul Mabood Khan, aged about 30 years**  
Resident of village- Ijara, P.S.- Sangrampur, District- East Champaran  
----- **Petitioner**

**Versus**

**The State of Bihar** ----- **Opposite party.**

**Counsel for the Petitioner:- Sri Sanjay Kumar Shrivastava, Advocate.**

**Counsel for the State :- Sri Khublal Prasad, Public Prosecutor.**

**17-03-2026**

This bail petition is filed on behalf of the above-named petitioner-accused Mahaboob Khan, who is in custody since 12-01-2026 in connection with Banjariya P.S. Case No.243 of 2025 for the offences U/S 118(1), 109 and 351(2) of the B.N.S.

The prosecution case, in brief, is that the on 04-04-2025 at about 09:00 P.M. the informant Rahul Kumar and his friend Sabir were going to their house on motorcycle, in the way, two persons came riding a motorcycle and attacked the informant with knife, due to which he received injury. They were also intending to again attack upon him with knife, but on commotion, informant's friend reached there and saved him. The further case is that earlier Isuf Ali Khan and petitioner Mahboob Khan gave life threat to the informant and after some days murder attempt was made upon him.

**In para-2 of the bail petition, it is mentioned that no other bail earlier either regular or anticipatory bail petition has been filed either in this Court or before the Hon'ble High Court, Patna. In para-3 of the bail petition, it is mentioned that petitioner has one criminal antecedent vide Banjariya P.S. Case No.580 of 2025. In para-4 of the bail petition, it is mentioned that petitioner is in custody since 12-01-2026.**

The learned counsel for the petitioner-accused has submitted that this petitioner-accused is innocent and he has committed no offence, as alleged and has falsely been implicated in this case due to previous enmity. It is further submitted that

the petitioner has no concern with the alleged occurrence and no case u/s 109 BNS is made out against the petitioner. There is delay of 21 days in lodging the F.I.R. The fact is that due to previous enmity, the name of petitioner has been dragged in this case i.e. the date of occurrence is 04-04-2025 and date of reporting at police station is 25-04-2025 and there is no specific allegation that who gave blow of knife on the informant. On these basis, it is prayed to allow this bail petition.

The learned Public Prosecutor appearing on behalf of the State has opposed the prayer for bail of this petitioner-accused on the basis of materials available in the case diary.

Heard both sides and perused the certified copy of F.I.R. as well as case diary. The informant in his re-statement vide para-2 and witnesses vide para-6, 7 and 8 of the case diary have corroborated the version of F.I.R. As per injury report of informant, mentioned in para-22 of the case diary, he has received incised wound of size 2" x ½" x ½" on right scapular area, which is simple in nature and caused by sharp object. As per para-3 of the bail petition and para-30 of the case diary, petitioner has one criminal antecedent related to Arms Act. As per para-54 of the case diary, after conducting investigation, the police has found case true and submitted charge-sheet against the petitioner.

Considering all these facts, as discussed above and keeping in view the nature of allegation and materials available in the case diary, I am not inclined to enlarge the petitioner-accused on bail. Accordingly, the prayer for bail of petitioner-accused **Mahaboob Khan** stands **rejected**.

The petitioner may renew his prayer for bail after framing of charge, if so advised.

(Dictated)

Sd/-

Sessions Judge  
East Champaran at Motihari  
17-03-2026