

**In the court of Distt. & Addl. Sessions Judge-19th East Champaran, Motihari**

**Present:- Rajvijay Singh**

**A.B.P No. 1382/2026**

**(Palanwa P.S. Case No. 13/2026)**

**Akhtar Khan @ Nabi Akhtar Khan @ Nabi Akhtar & Ors. Vs. State of Bihar**

**Dated 26.03.2026**

01. This anticipatory bail petition has been filed on behalf of (1) Akhtar Khan @ Nabi Akhtar Khan @ Nabhi Akhtar, S/O- Late Sadik Khan, aged about 54 years (2) Nabi Hasan Khan, S/O- Late Sadik Khan, aged about 74 years (3) Lal Khan, S/O- Late Sadik Khan, aged about 58 years (4) Noor Hasan Khan @ Narul Hasan Khan, S/O- Late Sadik Khan, aged about 69 years (5) Zobair Khan, S/O- Nabi Akhtar Khan, aged about 21 years (6) Majid Khan, S/O- Lal Khan, aged about 21 years (7) Aurangzeb Khan, S/O- Iman Hasan Khan, aged about 28 years (8) Raja Khan @ Md. Umar Faruq Khan, aged about 28 years & (9) Javed Khan, S/O- Iman Hasan Khan, aged about 26 years, All are R/O- Gad Bahuari, P.S.- Palanwa, Distt-East Champaran, in connection with Palanwa P.S. Case No. 13/2026 under sections 126(2), 115(2), 118, 303(2), 352, 351(2), 76, 3(5) of the B.N.S. Today power has been filed on behalf of the informant.

02. The petitioners apprehend arrest in connection with the above-mentioned case on the allegations of abusing and assaulting the informant and others, outraging the modesty of the informant, taking away cash of Rs. 20,000/- from the pocket of the informant and also taking away golden chain from the neck of wife of the informant.

03. Learned counsel for the petitioners submitted that the petitioners are quite innocent and have committed no offence as alleged and have falsely been implicated in this case. Further stated that no other regular or anticipatory bail petition has been filed by the accused petitioners either in this court or before the Hon'ble High Court. Further stated that the petitioners have got no criminal antecedents. Further stated that the allegations, whatsoever, levelled against the petitioners are out and out false and concocted. Further stated that both the parties are co-villagers. Further stated that the F.I.R. has been lodged after delay of two days. Further stated that present case is a counter blast of the earlier case Palanwa P.S. Case No. 10/2026 lodged by petitioner Lal Khan. Lastly it has been stated that the petitioners are ready to give sureties for the satisfaction of this court.

04. Learned Addl. Public Prosecutor vehemently opposed the prayer of bail and prayed for rejection of prayer of bail of petitioners.

05. Heard Ld. Counsel for the petitioners & Ld. A.P.P. for the state and perused the record.

06. From perusal of record it shows that injury report with regard to three persons is on record and petitioners no. 4 to 8 namely Noor Hasan Khan @ Narul Hasan Khan, Zobair

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Khan, Majid Khan, Aurangzeb Khan & Raja Khan @ Md. Umar Farque Khan are specifically alleged to have been involved in the said assault. Further from the perusal of record including the case diary the chances of false accusations against the present petitioners no. 4 to 8 at this stage are being ruled out. There is enough material on the record which makes a prima facie case against the accused at this stage. Suffice it to say that one of the prime objects of anticipatory bail is to protect a person from false accusations. At this stage of the case, more particularly when the investigation is still in progress as per the record available, the case against the petitioners can not be disbelieved. In these circumstances, this court is not inclined to grant anticipatory bail to the petitioners no. 4 to 8 namely Noor Hasan Khan @ Narul Hasan Khan, Zobair Khan, Majid Khan, Aurangzeb Khan & Raja Khan @ Md. Umar Farque Khan and hence their prayer for anticipatory bail is being rejected.

As far as rest of the petitioners no. 1, 2, 3 & 9 namely Akhtar Khan @ Nabi Akhtar Khan @ Nabi Akhtar, Nabi Hassan Khan, Lal Khan & Javed Khan are concerned, there is no such allegation against them so as to deny them the relief of anticipatory bail and they have got no criminal antecedents. In these circumstances, this court is inclined to grant anticipatory bail to the petitioners no. 1, 2, 3 & 9 namely Akhtar Khan @ Nabi Akhtar Khan @ Nabi Akhtar, Nabi Hassan Khan, Lal Khan & Javed Khan.

07. Accordingly, considering the facts and circumstances of the case, it is directed that 1, 2, 3 & 9 namely Akhtar Khan @ Nabi Akhtar Khan @ Nabi Akhtar, Nabi Hassan Khan, Lal Khan & Javed Khan, on surrender before the court within four weeks from the date of order/ or at the time of arrest shall be released on furnishing bail bond of Rs. 10,000/- with two sureties of like amount, each subject to the conditions as laid down u/s 482 (2) of the B.N.S.S. to the satisfaction of the Ld. Court below.

Dictated

Sd/-

Distt. & Additional Sessions Judge-19th

Motihari