

IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-I, GAYA
ANTICIPATORY BAIL PETITION No. 2148/2026

=====

Md. Shamshir Quasmi S/o Nek Mohammad
R/o Village- Pirbiga, P.S.- Chakand, District- Gaya
VERSUS

----- Petitioner

The State of Bihar

----- Opposite Party

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21.07.2026

An anticipatory bail application has been filed on behalf of the above named accused/petitioner, who is apprehending his arrest in connection with **Chakand P.S. Case No. 87/2026**, for the offences registered U/s. **126(2), 115(2), 110, 352, 351(2) of the BNS, pending in the Court of Ld. A.C.J.M.-V, Gayaji.**

2. Heard both the sides on the bail application.
3. Learned defence counsel, submitted that prior to this, the petitioner has not filed any anticipatory bail petition before this Court or before the Hon'ble Patna High Court. It is further submitted that petitioner is innocent, committed no offence and has falsely been implicated in this case. It is further submitted that delay in lodging the F.I.R. has not been explained by the prosecution. Informant is own brother of accused person and both the parties reside together in same house. Lastly he submitted that petitioner has no criminal antecedent. Hence, it is prayed to grant the privilege of anticipatory bail to the accused petitioner.
4. Per contra the Ld. A.P.P. appeared on behalf of State opposed the prayer for anticipatory bail.
5. The prosecution case, in brief, as per informant is that accused petitioner is brother of the informant used to torture his mother. When informant asked accused petitioner that why he was torturing her then he attacked upon the informant with knife due to which he sustained injury.
6. Heard both the parties and perused the material available on record. From perusal, it appears that petitioner is named in the F.I.R. The allegation against the petitioner is of assaulting informant and causing injury to him while he was trying to convince accused

petitioner (his own brother) for not torturing mother. Vide para 16 of the case diary, the injury report of both informant has been found simple in nature. Vide para 20 of the case diary notice U/S 35(3) of BNSS was served to the petitioner and vide para 23 of the case diary, he appeared before the police station on the compliance of notice issued to him and he was released on police bond by giving him benefit of Section 35(3) of BNSS. Vide para 27 of the case diary, charge-sheet has also submitted against the petitioner after completion of investigation against him. Vide para 19 of the case diary, no criminal antecedent has been found against the petitioner.

7. Considering the aforesaid facts and circumstances of the case and other materials on record, this court thinks it fit to grant the privilege of anticipatory bail to the petitioner. Accordingly, it is directed that in the event of his arrest or surrender before the Ld. Court below within a month from the date of this order, the petitioner shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of like amount each. This direction for anticipatory bail is subject to conditions that he will remain present on each and every date till framing of charge along with all the conditions stipulated U/S 482 of BNSS.

(Dictated)

Sd/-

(Shashi Kant Ojha)
Addl. Sessions Judge-1, Gaya
21.07.2026