

The Court of Addl. Sessions Judge-Ist, Kishanganj
Anticipatory Bail Petition No. - 245 /2026
(Kishanganj P.S. case no. 470/ 2026)

Present : Suresh Kumar Singh II
Addl. Sessions Judge-Ist, Kishanganj

1. Dilawar 2. Ahsan 3. Emad 4. Rafique Alam

..... (Petitioners)

Vs.

The State of Bihar (Opposite Party)

For the Petitioner	: Sri Shisir Kumar Das	(Advocate)
For the State	: Sri Suren Prasad Saha	(A.P. P.)

29-07-2026 1. Heard learned counsel for the petitioners namely, 1. Dilawar 2. Ahsan 3. Emad 4. Rafique Alam, who are apprehending their arrest in connection with Kishanganj P.S. case no.-470/2026, u/s 118(2), 115(2), 126(2), 191(2), 191(3), 109(1), 74, 76, 351(3) of BNS. Also heard learned P. P. for the State.

2. Prosecution story as per typed report of informant is that On 02.05.2026 at about 09:30 PM, all of the accused person including this petitioner armed with deadly weapons entered the informant's house and started abusing, assaulting and misbehave with the informant. When the husband of the informant tried to save her accused Dilwar assaulted on the head of the informant with sword due to which he sustained injury. Accused Rafik Alam assaulted on the ear of the informant's husband with pistoal's wat due to which he sustained injury. On halla villagers came there and save them. Informant further stated that the accused persons followed the informant and her husband to Sadar Hospital, Kishanganj, where they again attempted to attack but fled on arrival of officials. On the basis of written report of informant Kishanganj P.S. Case No. 470/2026 was registered.

3. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have not committed any offence. The petitioners have been falsely implicated in this case. The entire allegation as alleged in the FIR are totally, false, fabricated and concocted. Ld. Lawyer for the petitioner further submitted that neither any direct or indirect allegation of brutal assault has been alleged against the petitioners nor allegation of outrage the modesty have been alleged the petitioners at based any case is made out against them that is completelyailable in nature. Both informant and the accused persons are the neighbor. Since a long the bona fide dispute for the boundary of the petitioner's house have been coming. A minor scuffle and hot talk has forcefully been converted into the matter of 307 IPC although all the injuries are simple in nature. Statement has been made in para 3 of the bail petition that the petitioners have clean antecedent

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4. Learned A.P. P. has opposed the prayer for bail.
5. From perusal of record it transpires that there is allegation against petitioner Dilwar is that he assaulted with sword on the head of the informant and petitioner no. 04 Rafique Alam assaulted the but of the pistol on the ear of the husband of the informant due to which he sustained injuries and fell on the ground. When the informant went to save him then accused person torn her cloths. From perusal of case diary it transpires that witnesses have supported the prosecution case as alleged in the FIR. From perusal of injury report attached with case diary it transpires that there is one sharp cut injury on the right side of forehead size 0.25"x3". City scan was done which shown normal appearance of brain parenchyma was normal but the doctor has opined that injury is grievous. There is single injury on the head and there is no repetition or of blow or any other injury on the head of the injured. From perusal of documents filed by the petitioners it transpires that there is land dispute between the parties. Considering the facts stated above, I am inclined to enlarge the petitioners of bail.
6. Considering the aforesaid facts and circumstances, the petitioners namely, 1. Dilawar 2. Ahsan 3. Emad 4. Rafique Alam are hereby directed to be released on bail in the event of his arrest or surrender within four weeks from of receipt of the copy of this order in learned Trial Court, on furnishing bail bond of the amount of Rs. 10,000/- with two sureties of the like amount to the satisfaction of the learned court concerned subject to the conditions laid down under Section 482 of the BNSS.

Dictated

Sd/-

Suresh Kumar Singh II
Addl. Sessions Judge-1st
Kishanganj

Date of Judgment/Order	29-07-2026
Date of Reserving Judgment/Order	NA
Uploading Date	30-07-2026
Uploaded by	Steno