

In the Court of District & Additional Sessions Judge-III

A.B.P. No. 509 of 2026

Hasanganj P.S. Case No.- 91/2026

Md. Samsudin and others

.....**Petitioner**

Versus

The State of Bihar

.....**Opposite Party**

Ld. Counsel for the Petitioner:-

Sri Rom Shankar

Ld. Counsel for the State :-

Sri Shiv Narayan Singh, APP

Date of hearing/Disposal: 25-05-2026

ORDER

An anticipatory bail petition has been filed on behalf of the accused petitioners namely (1) Md. Samsudin, (2) Md. Peshkar and (3) Md. Samir who are apprehending their arrest in connection with Hasanganj P.S. Case No. 91/2026 for the offences registered U/S 126(2),115(2),109,351(2),351(3),324(4),352/3(5) of B.N.S. The copy of the same has been duly served to the Ld. Addl. P.P. for the State.

The Ld. counsel of the petitioners have submitted that no B.P. or A.B.P. on behalf of the accused petitioners have been filed or moved before this court or before the Hon'ble High Court, Patna. The petitioners have no criminal antecedents. The petitioners are quite innocent and they have not committed any offence at all. This case is lodged only for the purpose to pressurize and dispose the petitioner from the his land. Informant and his associate planned and lodged this false, fabricated and concocted case. The petitioners are ready to furnished local and solvent bailers for the court satisfaction, there is no chance of their absconding. Accordingly, prayed to grant bail.

On the other hand, the Ld. Addl. P.P. opposed the prayer of A.B.P. filed on behalf of the above named accused petitioners and submitted that the petitioners have committed the alleged offence under well planned manner. Hence, it is requested to reject the petition of the above named accused petitioners.

The case of the prosecution, in brief, is that on 23.03.2026 at about 06:45 O'Clock, informant of this case namely Abdul Sakur was sowing patwa on his land. At that time the accused persons came there armed with lathi, sticks and iron rod and assaulted him and his son namely Mahboob Alam and sustained injury. Hence, present case.

Heard rival submission of the Ld. counsel on behalf of the accused petitioners and the Ld. Add.P.P. for the State and perused the case diary. From perusal of the same, it transpires that the case has been registered for the offence punishable U/S 126(2),115(2),109,351(2),351(3),324(4),352/3(5) of B.N.S., against the accused persons. Although, the petitioners are the named accused of FIR and there is specific allegation against petitioner no.-03 that he assaulted informant's son namely Mahboob Alam, but Mahboob Alam injury is simple in nature. The allegation against the rest accused are general in nature. FIR shows that there is land

dispute between parties. Moreover, the petitioners have not been arrested from the spot and nothing has been recovered from their possession. There is no chance of absconding or tampering with the evidence and they are ready to co-operate during investigation and trial.

Hence, considering the above facts and circumstances of the case, the present anticipatory bail petition of accused petitioners namely (1) Md. Samsudin, (2) Md. Peshkar and (3) Md. Samir are hereby **allowed** and the petitioners in the event of their arrest or surrender **within four (4) weeks of this order**, shall be admitted to bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the court.

(Sd/-)

Sunil Kumar Singh-III
D.A.S.J.-III, Katihar
25.05.2026