

IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-II
DISTRICT-KATIHAR
(A.B.P. No. 649/2026)

In the matter of

1. Md. Islam aged about 40 years S/o Sk. Fuddan
R/o- vill- Islampur P.S. Katihar Town, District- Katihar

.....**Accused/petitioner.**

Vs

State of Bihar.....Opposite Party.

Katihar Town P.S. Case No. 29/2026

U/S- 303(9), 109, 3(5) of the B.N.S.

Ld, advocate for petitioner- Shri S.S. Jha

Ld, A.P.P. for the State- Shri Md. Ajaz Alam

ORDER

20-06-2026- This anticipatory bail petition has been filed on the behalf of accused-petitioner namely **1. Md. Islam** who is apprehending his arrest in connection with aforesaid case.

Heard the ld. counsel Shri S.S. Jha appearing on the behalf of the petitioner and Ld. A.P.P. Shri Md. Ajaz Alam appearing on the behalf of the state and Ld. Advocate for the informant Shri Bikash Kumar Jha.

The prosecution case, in brief is that, informant to this case namely Md. Alauddin has stated that he has been appointed at the post of Pashu Rakshak by the forest department. Informant has further alleged that on alleged date of occurrence i.e. 04.01.2026 at about 04:30 P.M. he saw that accused-petitioner Md. Islam and 4-5 other accused persons were cutting the government's tree at K.D.C. Nahar, Islampur and when he asked then Md. Islam got furious and he gave a blow of sharp edged axe at his neck which hit at his neck. He has further stated that if the said attack had not been avoided by him then he may loss his life. Informant has further alleged that later on he got treatment of his injury.

On the other side learned counsel for the petitioner has reiterated all the grounds taken in the bail petition and has submitted that the petitioner is quite innocent and he has committed no offence at all and he has falsely been implicated in this case. He has further submitted that the allegations levelled against the petitioner is absolutely false and concocted and accused-petitioner has no bad criminal history. Accordingly, it has been prayed to allow the said anticipatory bail petition.

Per contra, learned A.P.P. has vehemently opposed the prayer for anticipatory bail.

Heard the both parties at length and perused the entire case record. From record it is evident that in injury report, injury sustained by informant has been reported to be simple in nature caused by hard and blunt substance. So, it is

evident that injury report is not in consonance of prosecution case. Further, it is alleged that incident took place on 04.01.2026 but F.I.R. was registered on 06.01.2026 but prosecution has not given any plausible explanation of such delay. Further, as per bail petition petitioner has got no criminal antecedent.

So having consideration the above facts and submission made by the Ld. Counsel for the petitioner, the instant anticipatory bail petition is hereby allowed and accordingly it is ordered to release the petitioner namely 1. Md. Islam on bail in the case of surrender/arrest within three weeks of this order on furnishing of bail bond Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court concerned subject to the condition as mentioned in the section 482(2) of the B.N.S.S..

**Addl. Sessions. Judge-II
Katihar**

Date of Order	20.06.2026
Date of Reserving Order	N/A
Uploading Date	07.07.2026
Uploaded By	Prakash Kumar Singh, Steno D.A.S.J.-II, Katihar