

Barsoi No. 51/2026
U/S 126(2), 115(2), 117(2), 109(1), 118(1), 303(2), 352, 3(5) of the B.N.S.
Accused Name- Md. Jahangir and Md. Rahbar
P.O.-Asutosh Rai. A.S.J.-II, Katihar
A.B.P. NO. 679/2026

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IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-II
DISTRICT-KATIHAR
(A.B.P. No. 679/2026)

In the matter of

1. Md. Jahangir aged about 50 years S/o Late Noor Mohammad

2. Md. Rahbar aged about 20 years S/o Md. Jahangir

Both are R/o- vill- Barihal Bishnpur P.S. Barsoi, District- Katihar

.....Accused/petitioners.

Vs

State of Bihar.....Opposite Party.

Barsoi P.S. Case No. 51/2026

U/S- 126(2), 115(2), 117(2), 109(1), 118(1), 303(2), 352, 3(5) of the B.N.S.

Ld, advocate for petitioner- Shri Sumit Kumar Mukharji

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

ORDER

08-06-2026- This anticipatory bail petition has been filed on the behalf of accused-petitioner namely 1. Md. Jahangir and Md. Rahbar who are apprehending their arrest in connection with aforesaid case.

Heard the ld. counsel Shri Sumit Kumar Mukharji appearing on the behalf of the petitioner and Ld. A.P.P. Shri Md. Ajaz Alam appearing on the behalf of the state.

According to FIR prosecution case in nutshell is that informant to this case namely Md. Muzammil lodged a written report before SHO Barsoi alleging therein that on dated 27.03.2026 at about 8:30 o'clock in night at the house of his uncle Md. Zarique, Md. Saleque had come for realising the dues of tractor freight and he was talking with his uncle. In the meantime, a commotion raised then he went to see then he saw that accused-petitioners namely Md. Jahangir and Md. Rahbar and other accused named in FIR altogether were assaulting to the Md. Saleque and Md. Zarif @ Zarique by the means of lethal weapons, just like Farsa, Talwar and sword and by assaulting by means of Farsa and Talwar they caused injury on the cheek and ear of Md. Saleque and they also caused injury on the both hands and left shoulder of Md. Zarif. When he went to save then with view to cause his murder accused, namely Mohammed Jahangir and Rehana Khatoon gave a blow of Farsa and sword at his head due to which his head injured and blood started oozing out when his uncle Mohammed Nasir came to save then he was also brutally assaulted by Sarwar and Rahwar and they also snatched Rs. 2,000/- from his pocket. Later on, all injured were treated at Sub-divisional Hospital, Barsoi but later on all injured were referred other places for better treatment.

On the other side learned counsel for the petitioners has reiterated all the grounds taken in the bail petition and has submitted that the petitioners are quite

innocent and they have committed no offence at all and they have falsely been implicated in this case due to Bhara of tractor. He has further submitted that all the offences are bailable in nature except section 109(1), 118(1) and 303(2) of the B.N.S. but as per the allegation, the informant individually speaks the name of the petitioners but none of any independent person seen the petitioners who has been assaulted the informant by farsa from Jahangir in which the informant not sustained the injury but simply the case has been prepared for the purpose of any injury proof and so far as section 303(2) of the B.N.S. is not specific but the same is also not made out against the petitioners. 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 and has submitted that allegation as levelled against the petitioner is very serious in nature so, petitioners don't deserve for anticipatory bail.

Heard the both parties at length and perused the entire case record alongwith case diary. From perusal of the case record it is evident that there is no specific allegation against the present petitioners. Furthermore, from record it appears that injury sustained by victims to this case have been reported to be simple in nature caused by hard and blunt substance and as per bail petition petitioners have got no bad antecedent.

So having consideration the above facts and submission made by the Ld. Counsel for the petitioners, the instant anticipatory bail petition is hereby allowed and accordingly it is ordered to release the petitioners namely 1. Md. Jahangir and Md. Rahbar 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**

**Memo No..... Dated.....
Copy forwarded to, Katihar.**

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