

Court of Additional Sessions Judge I, Jhanjharpur
A.B.P. No- 394/2026
 (Bhairabsthan P.S case No- 46/2026)
Md. Samad Vs. State of Bihar
 U/s- 325, 126(2), 115(2), 109(1), 74, 351(2), 351(3), 352 of the BNS.
Pending in the Court of Ld. A.C.J.M.-I, Jhanjharpur.

S.N	Date of order	Order with signature	Office notes as to action taken
1	2	3	4
	26.05.2026	1. This anticipatory bail petition has been filed on behalf of the accused namely Md. Samad, seeking pre-arrest bail in connection with Bhairabsthan P.S case No- 46/2026, U/s- 325, 126(2), 115(2), 109(1), 74, 351(2), 351(3), 352 of the BNS. 2. Heard Sri Raj Lal Yadav, learned counsel for the petitioner and Sri Indrakant Prasad learned APP for the state. 3. The learned counsel Sri Raj Lal Yadav on behalf of the petitioner has submitted that earlier no other bail petition has been filed on behalf of this petitioner either before this Court or before Hon'ble High Court, Patna and petitioner has one criminal antecedent. It is further submitted that petitioner is quite innocent and has not committed any offence and the petitioner has falsely been implicated in this false case due to grudge, malice, land dispute, previous enmity and dirty village party politics and no occurrence as alleged has taken place and alleged all sections are bailable except U/s- 109(1), 74 of the BNS, which are added only to make case serious and non-bailable. It is also submitted that there is case and counter case in between the parties and nothing incriminating has been recovered from the possession of the petitioner. Lastly it is submitted that petitioner is apprehending his arrest in this case and Ld. counsel prayed to enlarge the petitioner on anticipatory bail. 4. The learned APP Sri Indrakant Prasad opposed the bail petition and prayed to reject it.	

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Contd. 26.05.2026	5. The prosecution case in brief is that, the informant of this case is Md. Mustufa, he has alleged that on 14.03.2026, Md. Samad caught and consumed the duck of the informant and when he asked Md. Samad that why he has consumed his duck, Md. Samad assaulted the informant by means of iron rod over his head, resulted he got head injury, when his wife came to rescue accused also assaulted her. Hence this case. 6. Heard both sides at length on this instant bail petition and perused the case record along with case diary and injury report. From perusal of the record, it transpires that on the basis of computer typed application submitted by the informant victim before SHO Bhairabsthan P.S., this very case has registered against the petitioner U/s- 325, 126(2), 115(2), 109(1), 74, 351(2), 351(3), 352 of the BNS. As per allegation, accused petitioner has assaulted to the informant by means of iron rod due to allegation over the petitioner that he has caught and consumed the duck of the informant, resulted he sustained injury. From perusal it transpires that injury is simple in nature not dangerous to life. In spite of that from perusal it transpires that occurrence took place on 14.03.2026 but this case has been registered on dated 20.03.2026 and petitioner is ready to face trial and also ready to furnish sufficient sureties. 7. Therefore, considering the aforesaid facts as discussed above as well as injury is found simple in nature, I am inclined to enlarge the petitioner on anticipatory bail accordingly, petitioner namely, Md. Samad, is directed to be enlarged on bail, in the event of his arrest or surrender before the Ld. Court below within a period of 21 days from receipt of this order, on
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Contd. 26.05.2026	furnishing bail bond of Rs. 10,000/- with two sureties of the like amount to the satisfaction of Ld. Court below, as condition laid u/s 482 of the BNSS with further conditions; I. That petitioner will co-operate in investigation and he make himself available whenever it is required by the investigating officer till submission of charge sheet if not chargesheeted. II. That the petitioner will attend the Court as per the bond conditions and petitioner will not commit the similar offence or offences in future. III. That the petitioner will not threaten, induce or promise to any person acquainted with the facts of the case to prevent them from disclosing information. IV. An undertaking to follow the conditions as above be given on behalf of petitioner accused along with bail bond, in case of violation and breach of the conditions, the prosecution will be at liberty to move for cancellation of his bail bond. Dictated and Corrected Sd/- (Sushil Kumar Dixit) Addl. Sessions Judge-Ist Jhanjharpur. Memo No..... Date..... Copy of order be forwarded to the Court of ACJM-I, Jhanjharpur for information and needful. (Sushil Kumar Dixit) Addl. Sessions Judge-Ist Jhanjharpur.
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	Contd. 21.05.2026		
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