

Court of District & Additional Sessions Judge I, Jhanjharpur

A.B.P. No- 440/2026

(Arariya Sangram P.S Case No- 29/2026)

Md. Shamsher Vs. State of Bihar

U/s-115(2), 118(1), 117(2), 109, 303(2), 352, 351(2), 3(5) of the BNS.

Pending in the Court of A.C.J.M.-I, Jhanjharpur.

S.N	Date of order	Order with signature	Office notes as to action taken
1	2	3	4
	23.07.2026	1. This anticipatory bail petition has been filed on behalf of accused namely Md. Shamsher, seeking pre-arrest bail in connection with Arariya Sangram P.S Case No- 29/2026, U/s-115(2), 118(1), 117(2), 109, 303(2), 352, 351(2), 3(5) of the BNS. 2. Heard Miss. Ranjeeta Kumari, Ld. Advocate on behalf of petitioner and Sri Indrakant Prasad, learned APP on behalf of the state. 3. Ld. Counsel Miss. Ranjeeta Kumari on behalf of the petitioner has submitted that earlier no other bail petition either regular or anticipatory has been filed either before this Ld. 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 petitioner has falsely been implicated in this case due to land dispute and the prosecution story is false and concocted. It is also submitted that after investigation charge-sheet has been submitted and accordingly cognizance has been taken and there is no any allegation of overact against the petitioner. Lastly it is submitted that petitioner is apprehending his arrest in this case, and ld. Counsel prays to enlarge the petitioner on anticipatory bail. 4. The learned APP Sri Indrakant Prasad, opposed the petition and prayed to reject it. 5. The prosecution case in short is that the informant of this case is Md.	

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Contd. 23.07.2026	Jiyauddin, he has alleged that on 22.04.2026 at 06:30 PM when he was returning from market, all the accused persons named in FIR including this petitioner armed with farsa, iron rod, lathi etc. surrounded him and started abusing and accused petitioner and co-accused Md. Nizam and Md. Sakib Caught the informant and other accused namely Md. Shamsheer assaulted to the informant with intention to kill by means of farsa, resulted informant sustained injury and other co-accused Md. NIyaj took Rs. 15000/-. Hence, this case. 6. Heard both sides at length and perused the case record along with case diary and injury report available. From perusal of the record it transpires that, on the basis of written application given by victim informant namely Md. Jiyauddin, before SHO Arariya Sangram P.S., this very case has been registered U/s-115(2), 118(1), 117(2), 109, 303(2), 352, 351(2), 3(5) of the BNS. against this petitioner and others. from perusal of the record it transpires that due to land dispute in between the parties on the date and time of occurrence as alleged in the FIR, the petitioner accused assaulted to the informant with intention to kill, by means of farsa, resulted he sustained head injury. From perusal of the injury report of the informant victim, which is annexed in the case diary, it transpires that lacerated wound of size about 2" x 1/3" x 1/5" was present on right upper frontal area of head and an abrasion of size about 1" x 1/5" was found at the time of examination. Though the injuries are found simple in nature but found in the vital part of the body and there is direct allegation	
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**Contd.
23.07.2026**

against the petitioner to assault the informant victim. Apart from that from perusal of the para No. 17 of the case diary, petitioner has got criminal antecedent and in course of investigation, the witnesses in para No. 10 & 11 have supported the case of the prosecution and in supervision recorded in para No. 41 of the case diary, it transpires that due to land dispute, the petitioner accused assaulted to the informant, resulted he sustained head injury and the case is found true against the petitioner.

7. Therefore, considering the aforesaid facts as discussed above as well direct allegation against the petitioner accused to assault and injury found in vital part of the body and the petitioner has got criminal antecedent, therefore, I am of the considered view that petitioner does not deserve the privilege of anticipatory bail. Hence, prayer for anticipatory bail on behalf of petitioner namely **Md. Shamsher**, is hereby **rejected**.

Dictated and Corrected

Sd/-

(Sushil Kumar Dixit)

Addl. Sessions Judge-Ist

Jhanjharpur.

Memo No..... Date.....

Copy of order be sent to the Court of **Ld. A.C.J.M.-I**, Jhanjharpur for information and needful.

(Sushil Kumar Dixit)

Addl. Sessions Judge-Ist

Jhanjharpur.

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	Contd. 10.07.2026		
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