

IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-V, SAHARSA

Dated, Saharsa, the 25th April, 2026

Present:- Mohd. Tarique Mustafa, District & Additional Session Judge-V, Saharsa

B.A. No. 214/2026 (Nauhatta P.S. Case No. 118/2025)

Farman Bakkho @ Md. Farman Bakkho and Another Vs State of Bihar

In the matter of :-

1. Farman Bakkho @ Md. Farman Bakkho S/o- Md. Bakkho @ Kureishi Bakkho
2. Md. Chand @ Goro @ Chand Bakkho S/o- Md. Farman Bakkho
Both R/o Village- Nagar Panchayat, Nauhatta, P.S- Nauhatta, District Saharsa.

.....**Petitioners**

Vs

State of Bihar

.....**Opposite Party**

Appearance :-

For the Petitioners :- Sri Rabindra Pd. Singh, Adv

For the State :- Sri Kameshwar Prasad, Ld. A.P.P. as well as Sri Gopi Krishna

Sl. No.	Date of proceeding	Order with the signature of the court	Office action taken with date
	25.04.2026	This bail petition has been filed on behalf of the petitioner namely 1. Farman Bakkho @ Md. Farman Bakkho and 2. Md. Chand @ Goro @ Chand Bakkho who are in custody since 15.03.2026 and 26.03.2026 respectively in connection with Nauhatta P.S. Case No. 118/2025 registered under Sections 191(2), 190, 126(2), 115, 109, 308(2), 303(2), 76, 352 and 351(2) of B.N.S. 2. Heard the arguments of the learned counsel for the petitioners and the learned A.P.P. for the State assisted by Sri Gopi Krishna. 3. It is submitted by the learned counsel for the accused petitioners that petitioners are innocent and have falsely been implicated in this case. That petitioners had earlier filed their anticipatory bail application vide A.B.A No. 771/25 and the same has been rejected. Thereafter, no any bail application has been filed either before this court	

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<u>Cont/-2</u> 25.04.2026	or before the Hon'ble High Court, prior to it. It is further submitted that the petitioner no. 1 and 2 have involved in 1. Nauhatta P.S-66/25 u/s- 126(2), 115, 76, 352, 351(2), 3(5) of B.N.S 2. Nauhatta P.S-17/2025 u/s- 191(2), 126(2), 115, 76, 303(2), 351(2), (3), 352(2) of B.N.S, III. Nauhatta P.S Case no. 87/16 u/s- 341, 354, 323, 379, 34 o IPC and petitioner no. 2 has separately involved in Nauhatta P.S-54/26 u/s- 303(2), 317(2) of B.N.S in which he is on bail. Further states that Nauhatta P.S case no. 130/17 has been disposed of by Ld. Trial Court and in Nauhatta P.S case No. 80/22, I.O has submitted Final Form, which has been accepted by Ld. Trial Court. That the allegation of assault against the petitioners are general and omnibus and not specific against the petitioners. That one Matina Khatoon has lodged Nauhatta P.S-120/25 against the prosecution party and as a matter of fact, the petitioners have falsely been implicated in this case due to retaliation of lodging of the said case and accused party have also received injury by the hand of informant side. That the land dispute between the parties coming from long time. That other 9-co-accused have been enlarged on anticipatory bail vide A.B.A No. 771/2025. It is further submitted that petitioners are man of means and there is no chance of their absconding or tampering with the evidence and they are ready to furnish sound sureties to the full satisfaction of the court. Upon these grounds the learned counsel prays to grant bail to the petitioners. 4. On the other hand, the Ld. A.P.P. for the State and	
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<u>Cont/-3</u> 25.04.2026	Ld. Counsel for informant vehemently opposed the prayer for bail. 5. Rival submissions considered. Record perused. 6. The Case of prosecution is that on 16.06.2025 at about 10 O'clock in the night, she (informant) was at her home at that time Farman Bakkho 2. Noor Shaba 3. Mateena Khatoon 4. Md. Chand @ Boro Bakkho 5. Shabana Khatoon 6. Akbar Bakkho 7. Hasina Khatoon 8. Mustak 9 Nooriya Khatoon 10. Nuraisha Khatoon 11. Md. Aslam 12. Anisha Khatoon and 4-5 unknown persons armed with weapons came there, in furtherance of common intention started beating her. When informant's husband, daughter and son came to save her then accused person namely Farman Bakkho attacked with iron rod on her husband with intention to kill him, accused person namely Md. Chand @ Goro thrown informant's daughter on the ground with bad intention and torn her cloth, accused persons also assaulted with Aayasha Khatoon. Accused person namely Farman Bakkho attacked with Iron rod on the head of Md. Bechan, due to which he fell on the ground and after felling accused person namely Md. Akbar beaten him with Lathi and Danda. Nuraisha Khatoon along with Noor Shaba Khatoon broke the lock of box and looted cloths, jewellery worth rupees 1 lakh and cash Rs. 50,000/-. Upon noising, accused persons fled away from the spot giving threatening for dire consequences. After that Informant's husband, son and daughter took to Nauhatta Hospital for treatment where	
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<u>Cont/-4</u> 25.04.2026	their treatment was done and seeing the grievous injuries of Md. Mokhtar Bakho and Bechan Bakkho referred to Sadar Hospital Saharsa for better treatment. 7. Further, as per para-8 of the case diary, it transpires that there is dispute over 9 dhur of land between the parties and further as per para-24, 25, 26 of case diary, statement of witnesses, it appears that the genesis of this case on account of land dispute. Further as per para-50 of case diary, there is injury report of Md. Mukhtar, wherein doctor has opined nature of injury is simple in nature. Further as per para-51 of case diary, there is injury report of Md. Mukhtar and he got following injuries- 1. Lacerated wound on Rt. Parietal Region size 1 ½” x 1 ½” II. Abrasion on forehead size 2 cm x 0.5 cm and Doctor has opined nature of injury is simple in nature. Further as per para-52 of case diary, there is injury of Ruksana Khatoon, wherein no any external injury seen. Further as per para-53 of case diary, there is injury of Md. Sabbir, wherein he got lacerated wound of size 1” x ½” x ½” on vertex and doctor has opined nature of injury is simple in nature. Further as per para-54 of case diary, there is injury of Aisa Khatoon, wherein no any external injury seen. Further as per para-55 of case diary, there is injury of Jahira Khatoon, wherein she got injury abrasion on Rt. Arm size 1” x 1” and doctor has opined nature of injury is simple in nature. Furthermore, there is case and counter case between the parties. Beside it, Petitioner no. 1 is in custody since 15.03.2026 and petitioner no. 2 is in custody
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<u>Cont/-5</u> 25.04.2026	since 26.03.2026. 8. Considering the aforesaid fact and their custody period, the bail petition of petitioners is allowed. It is directed that petitioners shall be released on bail on furnishing by each of them bail bonds of Rs. 10,000/- with two sureties of like amount each to the satisfaction of Ld. court below, subject to condition that they shall co-operate in the Investigation and Trial and remain present on each date, and in the event of failure on the part of petitioners to appear before court on two consecutive dates, the prosecution shall be at liberty to move for cancellation of their bail bonds. (Dictated) Sd/- (Mohd. Tarique Mustafa) D.A.S.J-V, Saharsa 25.04.2026 <table><tr><td>Date of Judgement/ Order</td><td>25.04.2026</td></tr><tr><td>Date of Reserving Judgement/Order</td><td>25.04.2026</td></tr><tr><td>Uploading Date</td><td></td></tr><tr><td>Uploaded by</td><td>Ujjawal Kumar (Stenographer)</td></tr></table>	Date of Judgement/ Order	25.04.2026	Date of Reserving Judgement/Order	25.04.2026	Uploading Date		Uploaded by	Ujjawal Kumar (Stenographer)	
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