

COURT OF DISTRICT & ADDL. SESSIONS JUDGE III, SAHARSA
Present- Chandan Kumar

A.B.A. No.- 393/2026
Arising out of Nauhatta PS Case No.- 120/2025

Md. Rahamtullah & others

Petitioners

Versus

State of Bihar

Opp. Party

Date of order or proceeding	Order with signature of the court	Office action taken with date
24.04.2026	1. The present anticipatory bail application has been filed on behalf of accused petitioners namely 1. Md. Rahamtullah, 2. Md. Mangal, 3. Md. Gulam, 4. Md. Intiyaj and 5. Jahira Khatun apprehending their arrest in connection with Nauhatta PS Case No.- 120/2025 for the offences punishable u/s 191(2), 190, 126(2), 115, 109, 76, 352 and 351(2) of BNS. Put up for hearing. 2. Heard Sri B.K. Jha, learned counsel for petitioners as well as Sadanand Yadav, learned A.P.P. for the State. 3. The case of prosecution in brief as per written information of Matina Khatun, r/o- Nauhatta, Dist- Saharsa is that on 16.06.2025 at about 09:00 PM, she along with her husband and children were at house wherein accused persons namely Mukhtar Bakho, Bechan Bakho, Ramzan Bakho, Shamsheer Bakho along with six to seven persons unknown miscreants having armed with weapon started abusing her stating her to be 'dian'. Further on being objected accused persons dragged her and also disrobed her, further allegation is that with intention to kill accused Ramzan Bakho gave blow of iron rod on the person of her husband and while trying to escape the attack, he still sustained injury on his hand.	

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Contd. 24.04.2026	4. Counsel for the petitioners has argued that earlier no bail petition either regular or anticipatory has been filed in this Court or before the Hon'ble High Court. Further it is submitted that petitioner no.-1 Md. Rahmutallah is having criminal antecedent of two cases vide petitioner no.-5 Zahira Khatun is having six criminal antecedent while others are having clean antecedent. Petitioners are ready to furnish the sound sureties to the full satisfaction of the Court. Lastly, it is stated that the petitioner deserve bail. Learned counsel for the defence. Further submitted that co-accused persons have been granted bail vide order dated 28.02.2026 passed in ABA No.-1178 of 2025 and submitted that the case of the present petitioners are on better footing. Further he submitted that the allegation against the present petitioners is vague and criminal antecedent should not be the sole ground for rejection for prayer for bail. 5. Learned A.P.P. opposed the prayer for bail. 6. Perused the record. On perusal of the record, it appears that there lies land dispute between the parties and also their lies several cases between the parties. Further the injury report of alleged injured shows that Farman has not sustained any external injury while Md. Ismile was having abrasion on nose. So far with regard to Nuriya she has sustained lacerated wound on 1"x1/4" on middle of head but with respect to all these, doctor has opined nature of injury to be simple and the same is also evident from Para-37, 38 and 39 of the case diary.	
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Contd. 24.04.2026	Beside it co-accused persons have earlier been granted bail vide order dated 18.02.2026. 7. Considering the facts and circumstances discussed the prayer for pre-arrest bail order of 1. Md. Rahamtullah, 2. Md. Mangal, 3. Md. Gulam, 4. Md. Imtiyaj and 5. Jahira Khatun is allowed and it is ordered that in the event of arrest/surrender they will be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each out of whom one bailor must be a close relative within four weeks of the receipt of this order to the satisfaction of the learned court below subject to the conditions as laid down u/s 482(2) BNSS. (Dictated & corrected by me) Sd/- (Chandan Kumar) Additional Sessions Judge-III	