

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,  
SITAMARHI.

Dated, Sitamarhi, the 25<sup>th</sup> March, 2026.

Present:- Akhilesh Kumar Jha, Principal District & Sessions Judge,  
Sitamarhi.

B.P No. 90/26.

**In the matter of :-**

Md. Sohail S/o-Md. Jahangir, R/o-Bhemua, P.S-Bhitha,  
Distt.Sitamarhi.....Petitioner.

V/S

State of Bihar.....Opposite Party.

**Appearance:**

For the petitioner:- Sri Anil Kumar Jha, Advocate.

For the State:- Sri Prafulla Kumar Jha, I/C P.P.

Date of order or proceeding.	Order with the signature of the court.	Office action taken with date.
<u>25.03.2026.</u>	<p>This bail petition has been filed on behalf of the petitioner namely, Md. Sohail who is in custody since 18.12.2025 in connection with Bhitha PS Case No. 98/25 registered u/ss: 126(2), 115(2),118(1),109,352,351(2),3(5) BNS.</p> <p>2. Heard the learned counsel for the petitioner and the learned I/C PP for the State.</p> <p>3. It is submitted by the learned counsel for the petitioner that the petitioner is quite innocent and has falsely been implicated in this case. All the allegations levelled against the petitioner are false and baseless. The petitioner has been falsely implicated in this case due to annoyance, grudge and dirty local politics. Nothing incriminating material has been recovered from possession of the petitioner. The father of the informant namely, Md. Jahangir has also filed a case bearing Bhitha PS Case No. 3/26 against the informant's side. On these grounds, the learned counsel prayed to grant bail to the petitioner.</p> <p>4. On the other hand, the learned I/C PP assisted by the learned private counsel of the informant have vehemently opposed the prayer for bail. The learned I/C PP further submits that there is specific allegation against the petitioner of</p>	

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assaulting the father of the informant on his head by bamboo. Nature of injury is grievous. Police has filed charge-sheet against the petitioner.

5. Rival submissions considered. Record perused.

6. The prosecution case, in short, as per written application of the informant namely, Md. Gulbuddin is that on 20.11.2025 at 9.00 AM while the informant was sitting the petitioner came and started abusing him which was protested by the informant. Thereafter, he scuffled with the informant. The father of the petitioner Md. Jahangir came and took the petitioner with him. It is further alleged that at 11.00 AM while the father of the informant was at his darwaja the petitioner came with bamboo and inflicted bamboo blow on the head of his father, which caused cut injury and blood started oozing. Thereafter, the petitioner fled away. The father of the informant was brought to Community Health Centre, Sursand for treatment from where he was referred to Sadar Hospital Sitamarhi, from where he was referred to Muzaffarpur. Ultimately, he was referred to Patna from Muzaffarpur. As per FIR there were more than 50 stiches in head of the father of the informant. It is further alleged that when on 3.12.2025 at 9.00 hours the informant told about the incident to the family members of the petitioner they threatened the informant with dire consequences, if he would file case.

7. The petitioner is specifically named in the FIR. There is direct and specific allegation against the petitioner of assaulting the father of the informant namely, Md. Tazamul Hoda by means of bamboo on head. As per prosecution, there are more than 50 stiches on head of father of the informant. As per injury report of M.O CHC

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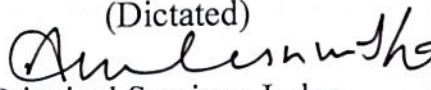
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Sursand, the nature of injury is grievous.

8. Considering the aforesaid facts & circumstances of the case, this Court is not inclined to grant bail to the petitioner. Accordingly, his prayer for bail stands rejected.

(Dictated)

  
Principal Sessions Judge,  
Sitamarhi.  
25.03.2026.

Date of Judgment /Order	25.03.2026.
Date of Reserving Judgment/Order	25.03.2026.
Uploading Date	30/3/2026
Uploaded by	Purushottam Kumar