

**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,
SITAMARHI.
A.B.P No. 1006/26.**

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

In the matter of :-

**1.Samar Mirza S/O Vajeer Ali & Ors , R /o Husaina,, P.S &Distt.
Sitamarhi.....Petitioners.**

V/S

State of Bihar.....Opposite Party.

Appearance:

For the petitioners:- Sri Rajiv Ranjan Singh, Advocate.

For the State:- Sri Praffula Kumar Jha, I/C PP.

Date of order or proceeding.	Order with the signature of the court.	Office action taken with date.
<u>27.08.2026.</u>	Apprehending arrest this anticipatory bail petition has been filed on behalf of the petitioners namely, 1. Samar Mirza, 2. Aamir Mirza, 3. Tamanan Qureshi in connection with Sitamarhi PS Case No. 382/26 registered u/ss: 126(2), 127(2),115(2),118(1), 118(2),74,351(2),351(3),352, 3(5) BNS. 2. Heard the learned counsel for the petitioners and the learned I/C PP for the State. 3. Learned counsel for the petitioners submitted that the petitioners are quite innocent and they have been falsely implicated in this case. All the allegations levelled against the petitioners are false and baseless. Petitioner no.1 Samar Mirza has criminal antecedents of four cases and petitioner no. 2 and 3 Amir Mirza and Tamanan Quresh have no criminal antecedents. On these grounds, the learned counsel for petitioners prayed for grant of anticipatory bail to the petitioners. 4. On the other hand , the learned I/C PP opposed the prayer for bail. Further submitted that allegation against petitioner no. 2 Aamir Mirza that he inflicted dagger blow to the informant on his eyes, but fairly admitted that as per injury report of injured Md. Nazare Alam, bruise on left lateral part of frontal and parietal bone, nature of injury is simple caused by hard blunt object. Further submitted that allegation against	

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petitioner no. 1 Samar Mirza that he was molesting informant's sister and he has criminal antecedents of four cases, in which one Sitamarhi PS Case No. 204/21 is also related to offence involving sexual harassment.

5. The prosecution's case, in brief, as per written application of the informant namely, Md. Nazare Alam is that on 29.5.2026 at about 20.30 hours, the informant with his sister had gone to see fair of Bakrid, 2026 near Hussain, Idgah, where Samar Mirza was molesting his sister and when informant objected, he abused and called his younger brother Aamir Mirza and his friend Tamanne Quraishi. Aamir Mirza inflicted dagger blow to informant on his eyes, which he tried to save himself, dagger struck his head, causing injury. The informant was taken to Sadar Hospital, Sitamarhi for treatment.

6. Perusal of record shows that there is specific allegation against petitioner no. 1 Samar Mirza that he was molesting informant's sister and when the informant protested, he called his brother Amir Mirza and Tamanne Qureshi and they abused and assaulted him.

7. Considering the aforesaid facts & circumstances of the case, nature of allegation against the petitioner no.1 namely, Samar Mirza and his four criminal antecedents, in which one case is also related to offence involving sexual harassment under section 354(A) IPC, this Court is not inclined to grant anticipatory bail to him. Accordingly, his prayer for anticipatory bail is hereby rejected.

8. So far as allegation against the petitioner no. 2 and 3 namely, Aamir Mirza and Tamanne Qureshi is concerned, though, there is allegation against the petitioner Aamir Mirza that he inflicted dagger blow to the informant but as per his injury report, one bruise injury is caused by hard and blunt object, which is simple in nature. Allegation against petitioner no. 3 is

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general and no specific overt act is attributed to him. These petitioners have no criminal antecedents as per para-3 of anticipatory bail petition. Under the facts & circumstances, prayer for bail of petitioner no. 2 and 3 namely, Aamir Mirza and Tamarne Qureshi is allowed and in the event of their arrest or surrender within a period of four weeks from today, they shall be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each, subject to the conditions as laid down u/s: 482(2) BNSS.

(Dictated)
Sd/-
(Akhilesh Kumar Jha)
Principal Sessions Judge,
Sitamarhi.
27.08.2026

Date of Judgment /Order	27.08.2026.
Date of Reserving Judgment/Order	27.08.2026.
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