

In the Court of Sessions Judge, Supaul
A.B.A.-591/2026
(Arising out of Kishanpur PS Case No:-197/2025)

<u>06/05/2026</u>	Md. Jabbar, S/o- Md. Rojit, R/o- Fulkaha, Ward No.10, PS- Kishanpur, District-Supaul;Accused/Petitioner Vs. State of Bihar.O.P Ld. Counsel for petitioner Sri. Johar Mandal, Advocate. Ld. APP Sri. Amar Kumar Das, for the State. By this order we are going to dispose off the anticipatory bail application filed on behalf of accused/ petitioner, namely Md. Jabbar, who is apprehending his arrest in connection with Kishanpur PS case No.197/25, u/s- 126(2), 115, 109, 352, 351(2), 3(5) of B.N.S. Ld. counsel for the accused/ petitioner argued that accused/ petitioner is quite innocent and has committed no crime and he has falsely been implicated in this case due to dirty village politics. He further submitted that accused/ petitioner has also involved in 3 more criminal cases. He further submitted that the offence as alleged in FIR is not applicable against the accused/ petitioner. It is also submitted that accused/ petitioner is ready to abide by the provisions of section 482 of B.N.S.S, so he may be admitted to the anticipatory bail. Ld. PP for the State strongly opposed the anticipatory bail application. In brief, the prosecution story is that on dated 29.09.2025, a written application was given by the informant namely Bibi Fatma to the police of PS Kishanpur, stating therein that on on 22.09.2025 at about 11:00 A.M., the accused persons namely Md. Jabbar, Md. Taj, Md. Jiyauddin and Soni gathered at her house and started abusing her. When the informant tried to present them from abusing her then all the accused persons forcibly entered into her house and accused Md. Jabbar caught hold the informant and put on the ground and dragged her and brought outside the house and also assaulted her by kick and fist and also torn her clothes. The accused Md. Jabbar also assaulted the informant by iron-rod on her head, thereby blood was started oozing. When the husband of the informant tried to save her then accused Md. Taj and Md. Jiyauddin also assaulted him by putting the Gamcha around his neck and also put him on the ground and dragged him. The informant further alleged that accused Md. Jabbar and Soni also assaulted him. Thereafter, the husband of the informant informed the police. Argument heard from both sides and perused the record as well as case diary. On going through the case diary, it transpires that the police has also recorded the statement of the witnesses namely Md. Shaukat, Rajendra Paswan and Md. Rahman	Contd.
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<u>Contd.</u> <u>06/05/2026</u>	and they have duly supported the prosecution case. As per para No.15 of the case diary, this accused/ petitioner is also involved in 4 other criminal cases of serious nature bearing (1) Kishanpur PS Case No.152/20, (2) Kishanpur PS Case No.72/18, (3) Kishanpur PS Case No.298/19 and (4) Supaul PS Case No.190/17. As per the injury report of the injured/ informant, the doctor has found lacerated wound over left side of forehead, bruise over left arm and bruise over back of left arm caused by hard and blunt substance. However, the doctor has opined the nature of injury as simple. Though, in this case the doctor has opined the nature of injury of injured/ informant as simple, but the allegation against this accused/ petitioner is very serious in nature and that he assaulted a lady and this accused/ petitioner Md. Jabbar is also involved in 4 other criminal cases of grievous nature. The investigation of this is in primary stage. The custodial interrogation of accused/ petitioner is also required. The tempering of the prosecution evidence by the accused/ petitioner is also cannot be ruled out. Hence, keeping in mind the seriousness of allegation and the previous involvement of the accused/ petitioner, I find that the accused/ petitioner is not entitled to get the benefit of anticipatory bail. As such, the prayer of the anticipatory bail, on behalf of accused/ petitioner namely Md. Jabbar is hereby, Rejected. Dictated -Sd- (Anant Singh) Sessions Judge, Supaul	
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