

In the court of District & Addl. Sessions Judge 1st, Bagaha, West Champaran.

Bail Petition No.108/2026

Registration No.-108/2026

(Arising out of Ramnagar P.S. Case No.-516/2025)

**Abid Khan, S/o.-Late Jaibad Khan, aged about 60 years, R/o. Village-Meghwal Mathiya, P.S.-
Ramnagar, Distt.-West Champaran.....Petitioner**

vs

State of Bihar.....Opposite Party

10.03.2026 A bail application earlier filed on behalf of accused petitioner namely Abid Khan under judicial custody since 02.01.2026 in connection with Ramnagar P.S. Case No.516/2025, u/s-126(2),115(2),118(1),109(1),351(2),352,3(5) BNS pending in the learned Court of S.D.J.M., Bagaha has been pressed today. Copy of the same has been served to the learned P.P. In-charge for State. Case diary is available on record.

Sri Satyendra Nath Mishra, learned counsel on behalf of the petitioner and Sri Shamsul Hoda, learned I/c. P.P. In-charge for State are present before the Court.

The prosecution case in brief as narrated in the written application of informant namely Dhananjay Yadav is that on 29.08.2025 at about 06:00 a.m., he came to know that named accused persons in F.I.R. were forcibly building a house on his land under a conspiracy. When informant along with his all brothers and nephew reached there and asked why are they building a house on their land. On hearing this, all the people became furious and on instigation of Nurain Mukhiya, Abid Khan hit informant's brother namely Sanjay Yadav on the head with the sword with the intention of killing him due to which his head got injured and when informant tried to rescue his brother then Amjad Shah assaulted informant with the sword due to which his left hand got injured and when informant's nephew namely Rahul Yadav came to rescue informant then Bachcha Khan assaulted informant's nephew's head with the sword due to which his nephew's head got injured and on hearing the noise, people from nearby areas reached there, then all of them were brought to Ramnagar Government Hospital and further referred to Government Hospital Bettiah. On the basis of written application of informant, present case was registered.

It has been submitted on behalf of the petitioner that he is quite innocent and has committed no offence as alleged against him and has been falsely implicated in this case. Earlier A.B.P. No.874/25 was filed before the Principal District & Sessions Judge, Camp Court, Bagaha, which was rejected. No other bail application on behalf of the petitioner has been filed either before this court or any superior court. Petitioner has got six criminal antecedent as 1.Ramnagar P.S. Case No.231/25, 2.Ramnagar P.S. Case No.278/25, 3.Ramnagar P.S. Case No.518/24, 4.Ramnagar P.S. Case No.202/22, 5.Ramnagar P.S. Case No.211/11 and 6.Ramnagar P.S. Case No.461/08. It has been submitted that there is no specific allegation against this petitioner to cause injury to the informant, however, there is specific allegation against the petitioner to assault informant's brother namely Sanjay Yadav. It has been further submitted that there is land dispute between the parties. It has been further submitted that one of the accused in this case namely Amjad Shah has also lodged a case against the informant vide Ramnagar P.S. Case No.541/25. It has been further submitted that other co-accused persons have been granted bail. Petitioner is under jail custody since 02.01.2026. Hence, he may kindly be allowed bail.

On the other hand learned I/c. P.P. In-charge for State assisted by Sri R.N. Tiwari learned Counsel on behalf of the informant vehemently opposed the prayer for bail of the petitioner and submitted that there is specific allegation against this petitioner to assault informant's brother on his head by means of sword. As per injury report in case diary para No.42, the nature of injury is opined as grievous, caused by hard and blunt object. Witnesses in case diary have also supported the prosecution. In view of above, petitioner does not deserve bail.

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10.03.2026 Heard both sides and perused the F.I.R., case dairy and injury report. Allegedly petitioner has assaulted the informant's brother namely Sanjay Yadav. There is case and counter case between the parties. Petitioner is under jail custody since 02.01.2026.

Considering the aforesaid facts and circumstances of the case and material available on record as discussed above coupled with custody tenure, petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned court below.

(Dictated & Corrected)

(Ravi Ranjan)
District & Addl. Sessions Judge 1st

Date of order	10.03.2026
Date of Reserving Order	10.03.2026
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