

**In the Court of the District & Addl. Sessions Judge I, Sitamarhi.
Bail Petition No. 356/2026**

Md. Arif,..... Petitioner.

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ORDER

18.04.2026.

1 Heard, learned counsel for the petitioner, **Mohd. Arif**, who is in custody since 01.04.2026, in connection with Nanpur P.S. Case No. 306/2025, registered under Sections 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2), 351(3), 3(5) of the B.N.S. Also heard the learned Addl. P.P. for the State and perused the record and the case-diary.

2. As per the prosecution case, the allegation against the applicant and co-accused persons is that they entered into the house of the informant armed with iron rods, iron pipes and sword and assaulted the informant and his family members, causing injuries including specific allegation against this applicant of assault by rod and sword, as mentioned in paragraph-69 of the case diary. The allegation also includes removal of cash and ornaments.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case due to previous land dispute between the parties. It is further submitted that there is case and counter-case between the parties and Nanpur P.S. Case No. 311/2025 has been instituted on the written complaint of the applicant's mother regarding the same occurrence. It is also submitted that **the applicant has no criminal antecedent**, is in **judicial custody since 01.04.2026**, and the charge has already been framed. It is further submitted that though the anticipatory bail of **the applicant was earlier rejected by the Hon'ble High Court in Cr. Misc. No. 70088/2025**, the applicant has remained in custody for considerable period and trial is likely to take time.

4. Learned A.P.P. opposed the prayer for bail considering the nature of allegation under Section 307 IPC-like offence (attempt to murder nature) and specific role attributed to the applicant.

5. Considering the facts and circumstances of the case, the specific allegations of assault by rod and sword as found in paragraph-69 of the case diary, the period of custody of the applicant since 01.04.2026, absence of any criminal antecedent, and without expressing any opinion on the merits of the case, this Court is inclined to allow the prayer for bail.

6. Accordingly, the applicant, **Mohd. Arif**, is directed to be released on bail on furnishing bail bond of ₹15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each, to the satisfaction of the learned court

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concerned, after framing of charge, subject to the furnishing of the conditions as laid down u/s. 480(3) of B.N.S.S., 2023.

(Dictated & corrected)

Sd/-

(Rajiv Kumar),

District & Addl. Sessions Judge 1,

Sitamarhi.

Dated:- 18.04.2026.

District & Addl. Sessions Judge I, Sitamarhi.