

In the Court of Sessions Judge, Darbhanga, Bihar.

A.B.P. No. 277 of 2026

In the matter of:-

Md. Safeer Asee @ Md. Safir son of Late Habib -----Petitioner.

Vrs.

The State of Bihar-----Opposite Party.

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For the Petitioner : Shri Gunjesh Kumar, Ld. Advocate.

For the O.P.(State) : Shri Amrendra Narayan Jha, Ld. P. P.

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O R D E R.

09. 24.04.2026 Heard learned counsel for the petitioner as well as learned P.P for the State on anticipatory bail petition filed on behalf of above named petitioner, who is apprehending his arrest in connection with Keoti P.S. Case No. 125/2019 for the offence U/Ss 147, 149, 307, 323, 324, 341, 448, 504 and 506 of the IPC.

As per FIR, prosecution case in brief is that on 17.08.2019 at about 12.30 PM, accused Md. Safeer and Md. Shamim were opening the gate in the land of the informant and when the informant objected for the same then accused Md. Safeer, Sultana Praween, Md. Danish, Md. Wasim, and Shavila Khatoon duly armed with spade, iron rod and knife entered the house of the informant and started abusing. It is further alleged that when the informant's daughter namely Ruksana Khatoon came there then accused Md. Safeer caught hair of the informant's daughter and slammed her and started assaulting with fists and legs. It is further alleged that when the informant came there to save her then accused Md. Safeer duly armed with knife, blow over the head informant with the intention of killing her due to which she sustained head injury and blood was oozing out. It is further alleged that when the informant's son came to save her family members then accused persons also assaulted him with iron rod due to which he also sustained head injury. It is further alleged that cousin of accused namely Sitare and Ladle

outraged the modesty of the informant's daughter namely Ruksana Khatoon and also make her semi-naked. It is further alleged that accused persons also broke the box and looted the gold & silver jewellery and a cash of Rs. 10,000/- from the house of the informant. Later on nearby people came there and took them to the Keoti PHC where doctors referred them to the DMCH for better treatment.

Learned counsel for the petitioners submitted that the petitioners are quite innocent and have committed no offence. The petitioner have falsely been implicated in this case on account of grudge, enmity as well as business rivalry. He further submitted that no such occurrence as alleged in the FIR was did ever take place. He further submitted that no allegation of cheating is alleged against accused petitioner rather it is simply alleged that he abused and assaulted to the informant. It is further submitted that petitioner Amit Kumar is brother of the accused Manish Kumar. He further submitted that informant also filed Money Suit No.15/2022 before the Sub Judge-I, Darbhanga which was dismissed on 28-11-2024. The real fact is that informant Pinku Kumar has taken 191 gram gold from Manish Kumar and only paid Rs.12,242/- and rest amount has not paid as yet and due to demand by Manish Kumar the rest amount nearly to Rs.18,50,000/- the informant filed this false case. He further submitted that no case u/s 420 of the IPC is made out against accused petitioner. He further submitted that accused petitioner has no criminal antecedent. It is therefore, prayed to enlarge the petitioner on anticipatory bail.

On the other hand, learned P. P. opposed the prayer for bail.

From the perusal of case record it appears that it is alleged against him that he abused and assaulted to the informant. Allegation of cheating is not alleged against the accused petitioner rather it is alleged co-accused Manish

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Kumar. It is stated that accused petitioner has no criminal antecedent. The

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accused petitioner has executed bond u/s 41 of the CrPC before the I.O.. The investigation of the case is completed.

Considering the above facts and circumstances discussed above the instant petition for anticipatory bail of petitioner is **allowed** and it is ordered that in the event of arrest or surrender before the court below within a period of fortnight from the receipt of this order, the petitioner will 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 the learned court below subject to the condition under the provision of section 438(2) of the CrPC.

(Dictated)

(Neeraj Kumar -II)
I/c Sessions Judge,
Darbhanga.
24.04.2026