

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65834 of 2024

Arising Out of PS. Case No.-206 Year-2024 Thana- DARBHANGA SADAR District-
Darbhanga

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Md. Rijwan Son of Late Md. Ali Akbar R/o Village- Dihbreyia, P.S.-
Darbhanga Sadar, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sadanand Roy, Advocate
For the Opposite Party/s : Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-10-2024 Heard Mr. Sadanand Roy, learned counsel for the

petitioner and Md. Fahimuddin, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Darbhanga Sadar P.S. Case No. 206 of 2024,
F.I.R. dated 05.05.2024 for the offences punishable under
Sections 341, 323, 307, 379, 506 and 34 of the Indian Penal
Code.

3. According to prosecution case, petitioner has
assaulted to the informant by means of iron rod.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case due to admitted land dispute



between the parties. He further submits that although there is specific allegation against the petitioner that he has assaulted to the informant by means of iron rod due to which the informant has received the injury but the injury report of the informant suggests that the injury found upon him is simple in nature. He further submits that due to admitted land dispute the present occurrence has taken place. He further submits that one Title Suit No. 148 of 2022 is pending between the parties and both the parties are agnates to each other.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, the petitioner having clean antecedent and injury inflicted upon the informant is simple in nature, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Chief Judicial Magistrate, Darbhanga in connection with Darbhanga Sadar P.S. Case No. 206 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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