

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.386 of 2025

Arising Out of PS. Case No.-267 Year-2020 Thana- LAKHNAUR District- Madhubani

Md. Juber @ Jubair @ Md. Super S/o- Md. Khurshid R/o Village- Deep,
Paschimi Tola, P.S. Lakhsaur RSOP, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 21-04-2025 Heard Mr.Jitendra Kumar Bharti, learned counsel

for the petitioner and Mr.Ashok Kumar Singh, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Lakhsaur (RSOP) P.S.Case No.267/2020, corresponding to G.R.No.2031/2020, FIR dated 09.11.2020 registered for the offences punishable under Sections 447,448,341,323,324,308,504,506/34of IPC.

3. According to prosecution case, due to previous enmity, petitioner alongwith other co-accused have committed assault over the informant and stole Rs. One Lac alongwith a Gold Chain.

4. Learned counsel for the petitioner submits that



the petitioner has clean antecedent and he has falsely been implicated in the present case. Due to admitted land dispute, the present occurrence had taken place. Although there is specific allegation against the petitioner that he assaulted to the informant by means of iron rod and she has also received the injury, apart from that, the petitioner alongwith other co-accused person have also assaulted the informant but the injury report of the informant suggests that the injury is simple in nature caused by hard and blunt substance and co-accused persons, namely, Sutiya Khatoon @ Suriya Khatoon and Rubeda Khatoon have been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court vide order dated 05.10.2024 passed in Cr. Misc. No.63936 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, injury inflicted upon the informant is simple in nature and similarly situated co-accused persons have been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court, let the petitioner, above named, in the event of his 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 learned Additional Chief Judicial Magistrate-I, Jhanjharpur, Madhubani in connection with Lakhnaur (RSOP) P.S.Case No.267/2020, corresponding to G.R.No.2031/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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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