

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5732 of 2025

Arising Out of PS. Case No.-328 Year-2024 Thana- DURAULI District- Siwan

=====

Faij Khan @ Faiz Khan Son of Hadish Khan R/O-Village-Darauli, P. S. -
Darauli, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Md. Shakir Ahmad, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-02-2025 Heard Mr. Raghav Prasad, learned counsel for the
petitioner and Md. Shakir Ahmad, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Darauli P.S. Case No. 328 of 2024, F.I.R. dated 15.10.2024 registered for the offences punishable under Sections 191(2), 191(3), 190, 329(4), 333, 126(2), 115(2), 118(1), 109, 324(4), 352, 351(2) of B.N.S., 2023.

3. Allegation against the petitioner is that he has assaulted the informant with knife on his chest and stomach due to which he sustained injury.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offence as alleged in the F.I.R. He further submits that although there is specific allegation against the petitioner that he has assaulted the informant with knife on chest and stomach but the injury report of the informant does not support the allegation as alleged in the F.I.R.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and the injury report of the informant does not support the allegation as alleged in the F.I.R., 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Darauli P.S. Case No. 328 of 2024, 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 :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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)

Ibrar//-

U		T	
---	--	---	--

