

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11152 of 2025**

Arising Out of PS. Case No.-318 Year-2021 Thana- LAUKAHA District- Madhubani

Md. Guljar S/o Isha R/o Village- Bhelha, P.S-Lalmaniya (O P),Dist-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 19-05-2025 Heard Mr. Hriday Narayan Harshit, learned counsel
for the petitioner and Mr. Rajendra Nath Jha, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Laukaha (Lalmaniya) P.S. Case No. 318 of 2021, F.I.R. dated 11.10.2021 for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 354(B), 504, 506 and 379 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including this petitioner armed with deadly weapon assaulted the informant her husband. It is further alleged that they also snatched gold chain from her possession and assaulted to her brother-in-law by means of *Farsa* causing him injuries.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been 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 offences as alleged in the F.I.R. He further submits that there is case and counter case between the parties. Although there is specific allegation against the petitioner that he has assaulted to one Md. Mukhter who is brother-in-law of the informant due to which he received injury but the injury report of the injured person suggest that the injury is simple in nature caused by hard and blunt substance. He further submits that the similarly situated co-accused, namely, Md. Firoz @ Firoz and others have been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 12.03.2024 passed in Cr. Misc. No. 11229 of 2024 and another co-accused, namely, Md. Raja Hussain Azad @ Raj Hussain has also been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 05.12.2023 passed in Cr. Misc. No. 76465 of 2023.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, injury received by the



injured person is simple in nature, co-accused persons have been granted anticipatory bail by this Court, 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 Sub Divisional Judicial Magistrate, Jhanjharpur, Madhubani in connection with Laukaha (Lalmaniya) P.S. Case No. 318 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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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