

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14601 of 2025

Arising Out of PS. Case No.-107 Year-2024 Thana- MATIYARIA District- West Champaran

Rustam Ansari S/O Adalat Ansari R/O Village- Daraul Madarsa Tola, Ward
no. 07, P.S.- Matiyaria, District- West Champaran, Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms.Rasika, Advocate
	:	Ms. Priti, Advocate
For the Opposite Party/s	:	Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-04-2025 Heard Ms. Priti, learned counsel for the petitioner
and Mr.Abhay Kumar Roy, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Matiyaria P.S.Case No.107 of 2024,FIR
dated 25.09.2024 registered for the offences punishable under
Sections 115(2),126(2),109,118(2),351(2),352,3(5),303(2) of
Bhartiya Nyaya Sanhita, 2023.

3. Allegation against the petitioner is that he
inflicted iron rod blow on the left hand of the brother of the
informant due to which his hand was fractured.

4. Learned counsel for the petitioner submits that
the petitioner has falsely been implicated in the present case. it



appears from the FIR itself that due to land dispute the present occurrence had taken place and there is case and counter case. As per FIR, specific allegation against the petitioner is that he inflicted iron rod blow on the left hand of the brother of the informant due to which his hand was fractured. Learned counsel for the petitioner submits that all the injuries opined by the Doctor are grievous in nature but the same are not on the vital part of the body of the injured person and apart from that, there is no specific allegation of any assault or overt-act attributed against other co-accused persons.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that it appears from the FIR that there is direct and specific allegation against the petitioner and apart from that, the petitioner carries eight more cases other than the present one but fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, petitioner has assaulted the brother of the informant and he has received the injury but the injury is not on the vital part of the body, 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 J.M., Bettiah in connection with Matiyaria P.S.Case No.107 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:-

(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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