

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20480 of 2025

Arising Out of PS. Case No.-21 Year-2023 Thana- NAANPUR District- Sitamarhi

Farhad Khan @ Fahad Khan S/o Mustaque Khan @ Md. Mustak Alam Khan
Resident of Village- Koili, P.S.- Nanpur, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2025 Heard Mr.Krishna Kant Singh, learned counsel for the

petitioner and Mr.Vinod Shanker Modi, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Nanpur P.S.Case No.21 of 2023, FIR dated 14.01.2023 registered for the offences punishable under Sections 341,323,324,307,325,379/34 of IPC.

3. Earlier the petitioner has moved before this Court in Cr. Misc. No.12442 of 2025 and the same was dismissed as withdrawn with liberty to file a fresh application vide order dated 21.02.2025.

4. Allegation against the petitioner is that he alongwith co-accused Asaraf Khan assaulted to one Amanul Hasan on his head by means of lathi causing fracture of his



teeth.

5. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Although the petitioner is named in the FIR and the specific allegation against the petitioner and other co-accused person, namely, Asaram Khan that they assaulted to one Amanul Hasan but no injury was found on the injured person, namely, Amanul Hasan.

6. Learned APP for the State, on other other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts, petitioner has clean antecedent and no injury was found on the injured person, namely, Amanul Hasan, 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 S.D.J.M., Pupri at Sitamarhi in connection with Nanpur P.S.Case No.21 of 2023, 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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