

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21580 of 2025

Arising Out of PS. Case No.-1945 Year-2023 Thana- COMPLAINT CASE District- Araria

Md. Rijwan @ Md. Rijwan Alam Son of Fakruddin Resident of Village -
Chhitiyauna, Ward No.11, P.S. - Raniganj, District - Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Gyasuddin @ Md. Firoz Son of Late Fakhruddin Resident of Village -
Chhitiyauna, Ward No.11, P.S. - Raniganj, District - Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-07-2025 Heard Mr. Vijay Kishore Bharti, learned counsel for

the petitioner, learned counsel for the complainant and Mr.

Shyameshwar Dayal, learned Additional Public Prosecutor for

the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 1945(C) of 2023 for the
offences punishable under Sections 323, 341, 420, 504 of the
Indian Penal Code.

3. According to prosecution case, the informant
alleges that after the death of his father, his step brother
conspired the wasitahnama and said that said land has been
transferred in his name through wasitahnama.



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 from perusal of the F.I.R. it appears that the present Complaint Petition has been filed on the basis of suspicion and the complainant has not furnished any document which suggests that the petitioner is going to sell out the land in question which is mentioned complaint petition.

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

6. Considering the aforesaid facts and circumstances, 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 Judicial Magistrate-I, Araria in connection with Complaint Case No. 1945(C) of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 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 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)

Jyoti Kumari/-

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