

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31282 of 2025

Arising Out of PS. Case No.-170 Year-2024 Thana- BHAGWAN BAZAR District- Saran

Monu S/O Mahammad Ijrail @ Ijrael Khan R/O Mohallah- Nai Bazar,
Ajaybganj, P.S- Bhagwanpur Bazar, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay, Advocate Mr. Arif Daula Siddiquie, Advocate Ms. Harshita, Advocate
For the Opposite Party/s	:	Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-05-2025 Heard Mr. Brajesh Sahay, learned counsel for the petitioner and Ms. Sharda Kumari, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bhagwan Bazar P.S. Case No. 170 of 2024, F.I.R. dated 08.04.2024 for the offences punishable under Sections 153(A), 295(A) and 504 of the Indian Penal Code.

3. According to prosecution case, the petitioner along with other accused persons have written abusing words against a particular community on plain paper and carton.

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 the name of the petitioner has been transpired on the basis of suspicion and except the suspicion, no cogent material has been come during investigation, which suggests the involvement of the petitioner in the present occurrence and the similarly situated co-accused persons, namely, Md. Bittu and Shilu @ Sillu have been granted the privilege anticipatory bail vide order dated 12.12.2024 in Cr. Misc. No. 83226 of 2024 and order dated 17.01.2025 in Cr. Misc. No. 186 of 2025 respectively by a Co-ordinate Bench of this Court.

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

6. Considering the aforesaid facts, the petitioner has clean antecedent and the similarly situated co-accused persons have been granted privilege of anticipatory bail by a Co-ordinate Bench of 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 Additional Chief Judicial Magistrate-I, Chapra, Saran in connection with Bhagwan Bazar P.S. Case No. 170 of 2024,



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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