

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31264 of 2025

Arising Out of PS. Case No.-137 Year-2024 Thana- Chhaudahi District- Begusarai

Md. Zakir S/O Late Md. Muslim Resident of Village- Bakhadda Sham, Ward
No. 09, P.S.- Chhaurahi , District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh, Advocate

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-05-2025 Heard Mr.Shyameshwar Kumar Singh, learned
counsel for the petitioner and Mr.Nand Kishore Prasad, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Chhaurahi P.S. Case No.137 of 2024, dated 19.10.2024 registered for the offences punishable under Sections 126(2), 115(2), 329(4), 109(1), 117(2), 352, 351(3), 303(2), 3(5) of Bhartiya Nyaya Sanhita, 2023.

3. Allegation against the petitioner is that he assaulted by iron rod on the head of the son of the informant.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. There is case and counter case. Although there is specific allegation against the petitioner



that he assaulted to the son of the informant. Although the son of the informant has received the injury but the injury report of the son of the informant suggests that the injury is simple in nature and co-accused person, namely, Md.Rizwan, has been granted privilege of anticipatory bail by the learned court below itself.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is case and counter case and injury inflicted upon the son of the informant is simple in nature, 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 Chief Judicial Magistrate, Begusarai in connection with Chhaurahi P.S. Case No.137 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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