

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38366 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- GARKHA District- Saran

Md. Firdos Alam @ Firdos Ali son of Usman Miyan village- chakiya,
(Phulwariya tole Chakiya), Ps- Garkha, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-06-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Garkha P.S. Case No. 35 of 2025 for the offence under sections 126(2), 115(2), 109, 74 and 3(5) of the B.N.S. lodged on 15.01.2025 by the informant, Zarina Begum.

3. As per the prosecution story, the allegation against the petitioner is of trying to outrage the modesty of the informant's side which led to scuffle and thereafter, armed variously, they assaulted the informant, her husband and the daughter badly. This led to the FIR.

4. Learned counsel for the petitioner submits that there is case and counter-case, both sides have received



injuries, so far as injury to Apsari Khatoon is concerned, the same has been found to be simple in nature. The last submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioner on its own would like to contribute Rs. 5,000/- towards the medical assistance of the injured through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP opposes the prayer submitting that firstly, he tried to outrage the modesty of the victim girl and thereafter, assault took place.

6. Taking into account the submissions of the parties as also that there is case and counter-case, both sides have sustained injuries and the injury found on the girl has been found to be simple in nature, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 5,000/- as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court and handed over to the informant.



7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran at Chapra in connection with Garkha P.S. Case No. 35 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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