

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38372 of 2025

Arising Out of PS. Case No.-44 Year-2025 Thana- SATHI District- West Champaran

Md. Firoj Bakht @ Firoj Bakht S/o- Shakeel Ahmad Village- Bharwa Kala
Ps- Sathi Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rananjay Kumar, Advocate Mr. Brajesh Sahay, Advocate Mr. Aslam Ansari, Advocate
For the Opposite Party/s :		Mr. Pramod Kumar Pandey, 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 Sathi P.S. Case No. 44 of 2025 for the offence under sections 126(2), 115(2), 118(1), 76, 329(3), 109, 352, 351(2) and 3(5) of the B.N.S. lodged on 19.02.2025 by the informant, Aafak Alam.

3. As per the prosecution story, the informant alleged that due to old family enmity, armed variously, the accused side came and after the outraging the modesty of the informant's daughter, the petitioner also resorted to assault both to the girl, Aarfa Praveen as also to Arbaz. Allegation against Shakeel Ahmad and Wakil Ahmad is/are of using sword to assault Motiur Rahman and Hamad Rizvi. They were taken into



Chanpatiya Hospital. This led to the FIR.

4. Learned counsel for the petitioner submits that there is case and counter-case, the allegation has been exaggerated, the injuries of the injured have been found to be simple in nature as would reflect from the learned Sessions Judge order and 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/- to the injured Arfa Praveen and Rs. 5,000/- to Md. Arbaz Alam (totalling Rs. 10,000/-) towards the medical assistance 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 injured persons after checking the credentials.

5. Learned APP opposes the prayer submitting that due to old enmity, assault has taken place.

6. Taking into account the submissions of the parties as also that the injuries have been found to be simple in nature and the petitioner has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs.



5,000/- to the injured Arfa Praveen and Rs. 5,000/- to Md. Arbaz Alam (totalling Rs. 10,000/-) 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 to be handed over to the injured persons.

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, West Champaran, Bettiah in connection with Sathi P.S. Case No. 44 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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