

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38328 of 2025

Arising Out of PS. Case No.-103 Year-2025 Thana- ARARIA District- Araria

MD. RIZWAN @ BACHU @ RIZWAN ALAM Son of Md. Alauddin R/o
village - Devariya, Ward No.- 3, P.S.- Araria, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Naushaduzzoha, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-06-2025 Heard Mr. Md. Naushaduzzoha, learned counsel for

the petitioner and Md. Mushtaque Alam, learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Araria P.S. Case No. 103 of 2025, F.I.R. dated 09.03.2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 303(2), 74, 109, 351(2), 3(5) of the BNS.

3. Allegation against the petitioner is that he has assaulted to the informant due to which he sustained injuries.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case and there is case and counter case between the parties. He further submits that although there is



specific allegation against the petitioner that he has assaulted to the informant and the informant has received injuries but the injury report of the informant suggests that all the injuries are simple in nature and apart from that the petitioner having clean antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner having clean antecedent and the injuries inflicted upon the injured persons are simple in nature.

6. Considering the facts and circumstances of the case, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 103 of 2025, 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 :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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)

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