

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40832 of 2025

Arising Out of PS. Case No.-357 Year-2024 Thana- BAHERI District- Darbhanga

Md. Israil @ Israil S/o- Md. Halim R/o - Athar, P.S - Baheri, District - Darbhanga, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-07-2025 Heard Mr. Vinay Kumar Mishra, learned counsel
for the petitioner and Mr. Vinod Shanker Modi, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
05.05.2025 in connection with Baheri P.S. Case No. 357 of
2024, F.I.R. dated 10.10.2024 for the offences punishable under
Sections 126(2), 115(2), 118(1), 110, 352, 3(5) and 109(1) of the
Bharatiya Nyaya Sanhita 2023.

3. According to prosecution case, the petitioner
and other co-accused person have assaulted the informant.

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 although
the petitioner is named in the F.I.R. but from perusal of the



F.I.R. it appears that the specific allegation of assault or over act is attributed against the petitioner. The petitioner is in custody since 05.05.2025.

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 there is no specific allegation of any assault or over act against the petitioner, let the petitioner, above named, 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-VII, Darbhanga in connection with Baheri P.S. Case No. 357 of 2024, subject to the 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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