

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48314 of 2025

Arising Out of PS. Case No.-159 Year-2025 Thana- BARHARIA District- Siwan

Tanwir Ahmad @ Tanvir Ahmad S/o- Kadir Ahmad R/o village- Athkhambha
Ps- Barharia District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-08-2025 Heard Mr. Ajay Kumar Pandey, learned counsel
for the petitioner and Mr. Lalan Kumar, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Barharia P.S. Case No. 159 of 2025, F.I.R. dated 01.04.2025 for the offences punishable under Sections 126(2), 115(2), 109, 132, 121(1), 121(2), 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, all the accused persons including this petitioner abused and assaulted the informant and other police personnel.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. It appears from the F.I.R that



although the petitioner is named in the F.I.R but there is no specific allegation of assault or overt act attributed against the petitioner rather there is general and omnibus allegation against 2 named and 10 unknown accused persons. He further submits that the informant has received injury but from perusal of the injury report of the informant it appears that all the injuries are simple in nature.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, injuries received by the injured person are simple in nature and there is no specific allegation against the petitioner in the F.I.R, 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 the learned Additional Chief Judicial Magistrate III, Siwan in connection with Barharia P.S. Case No. 159 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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 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)

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