

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58831 of 2025

Arising Out of PS. Case No.-109 Year-2025 Thana- MANIYARI District- Muzaffarpur

Md. Rijwan @ Md. Rizwan @ Chand S/O Md Jamil @ Zalil R/O Village -
Jagdishpur, P.S. - Maniyari, District - Muzaffarpur Permanent R/O Vill.-
Pakhuli, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar, Advocate

For the Opposite Party/s : Ms.Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-10-2025 Heard Mr.Hemant Kumar, learned counsel for the

petitioner and Ms.Madhuri Lata, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Maniyari P.S. Case No.109 of 2025, dated
10.04.2025 registered for the offences punishable under
Sections 126(2),115(2),118(1),303(2),351(2),324(4),3(5) of
B.N.S.

3. Allegation against the petitioner is that he assaulted
on the head of the informant by a sword, due to which, the
informant had sustained serious injury and there was bleeding
from his head.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent. The allegation as alleged in the FIR is false and fabricated. Although there is specific allegation against the petitioner in the FIR that he has assaulted to the informant by means of iron rod due to which the informant has received the injury but the injury report of the informant suggests that the injury is simple in nature caused by hard and blunt substance.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and the injury inflicted upon the injured person is simple in nature, 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 learned A.C.J.M.-8th (West) Muzafarpur in connection with Maniyari P.S. Case No.109 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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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