

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68779 of 2025

Arising Out of PS. Case No.-59 Year-2024 Thana- PALANWA District- East Champaran

1. Majhar Khan S/O Hassan Khan R/O Village- Gadh Bahuari, P.S- Palanwa, Distt.- East Champaran.
2. Amjad Khan S/O Hassan Khan R/O Village- Gadh Bahuari, P.S- Palanwa, Distt.- East Champaran.
3. Kashim @ Daba Khan S/O Mukhtar Khan R/O Village- Gadh Bahuari, P.S- Palanwa, Distt.- East Champaran.
4. Hassan Khan @ Mad Hassan Khan S/O Late Sikander Khan R/O Village- Gadh Bahuari, P.S- Palanwa, Distt.- East Champaran.
5. Azhar Khan S/O Md. Hassan Khan R/O Village- Gadh Bahuari, P.S- Palanwa, Distt.- East Champaran.
6. Shamsheer Khan S/O Wahid Khan R/O Village- Gadh Bahuari, P.S- Palanwa, Distt.- East Champaran.
7. Murad Khan S/O Hassan Khan R/O Village- Gadh Bahuari, P.S- Palanwa, Distt.- East Champaran.
8. Arsad Khan S/O Hassan Khan R/O Village- Gadh Bahuari, P.S- Palanwa, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-09-2025 Heard Mr. Madhurendra Kumar, learned counsel

for the petitioners and Mr. Surendra Prasad Singh, learned

Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Palanwa P.S. Case No. 59 of 2024, F.I.R. dated
21.04.2024 for the offences punishable under Sections 147, 194,



341, 323, 307, 504 and 506 of the IPC and 27 of the Arms Act.

3. According to prosecution case, all the accused persons including these petitioners armed with deadly weapon have assaulted the informant and his brother and they also fired upon the informant and his brother due to which they received injury.

4. Learned counsel for the petitioners submits that petitioner nos. 2, 3, 6, 7 and 8 have clean antecedent and they have falsely been implicated in the present case. Although the petitioners are named in the F.I.R and there is specific allegation against these petitioners but the police after investigation have submitted the final form in favour of the petitioners and the learned Court below in a very mechanical manner took cognizance against the petitioners.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner nos. 1, 4 and 5 carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph no. 3 of the bail application that they are on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Raxual at Motihari in connection with Palanwa P.S. Case No. 59 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

Vanisha/-

U		T	
---	--	---	--

