

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61625 of 2025

Arising Out of PS. Case No.-535 Year-2025 Thana- NAWADA District- Nawada

1. Md. Ehsas Khan @ Md. Ehshaan Khan @ Ehsan Khan Son of Md. Asgar Khan Resident Of Village- Guljar Nagar, Bhdhouni, Ps- Town Nawada District- Nawada
2. Md. Ibran @ Md. Imran Khan @ Imran son of Md. Asgar Khan Resident Of Village- Guljar Nagar, Bhdhouni, Ps- Town Nawada District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-09-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Nawada P.S. Case No. 535 of 2025 for the offence under sections 115(2), 126(2), 117(2), 109(1), 303(2), 75 and 3(5) of the B.N.S. lodged on 20.05.2025 by the informant, Md. Raja Khan.

3. As per the prosecution story, the informant alleged that they are truck drivers and while in Andhra Pradesh, allegation is that the accused persons resorted to assault causing injury on the head.

4. Upon reaching home, when the family members confronted them, again abuse/assault took place. This led to the



FIR.

5. Learned counsel for the petitioners submit that admittedly, the occurrence took place in Andhra Pradesh, it is ironical that FIR has been lodged in the State of Bihar, both do not have any criminal antecedent, all are truck drivers, exaggerated FIR is there and may be due to accident, he suffered injuries on his forehead but it has been attributed to them. Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioners on their own would like to contribute Rs. 7,500/- each (totalling Rs. 15,000/-) towards the medical assistance through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

6. Learned APP opposes the prayer submitting that on perusal of the learned Sessions Judge order would show that the injured had four stitches on his forehead.

7. Taking into account the submissions of the parties as also the aforesaid facts that has emanated from the FIR/submission of the parties, they do not have criminal



antecedent and one of the petitioner is only nineteen years of age, in that background, this Court is inclined to extend them the privilege of anticipatory bail with conditions subject to payment of Rs. 7,500/- each (totalling Rs. 15,000/-) as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

8. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nawada P.S. Case No. 535 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned



police station every fortnight for six months to mark their attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

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