

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61943 of 2025

Arising Out of PS. Case No.-29 Year-2025 Thana- SIWAN MUFFASIL District- Siwan

Meraj Hussain @ Meraj Ahmad Son of Late Eid Mohammad Resident of
Village - Bindusar Bujurg, Baraiya Tola, P.S.- Mahadeva, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-09-2025 Heard Mr. Javed Aslam, learned counsel for the
petitioner and Mr. Sanjay Kumar, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Siwan (Muffasil) P.S. Case No. 29 of 2025, F.I.R. dated 15.01.2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 303(2), 352, 351(2), 109 of the Bharatiya Nyaya Sanhita.

3. Allegation against the petitioner is that he has assaulted to the informant due to which he sustained injuries.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and from perusal of the F.I.R. it appears that due to petty dispute,



the present occurrence has taken place and there is case and counter case between the parties. Although, there is specific allegation against the petitioner that he has assaulted to the informant but the injury report of the informant suggests that the injury is simple in nature.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is case and counter case between the parties as well as 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Siwan (Muffasil) P.S. Case No. 29 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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