

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69525 of 2025

Arising Out of PS. Case No.-105 Year-2025 Thana- JHANJHARPUR District- Madhubani

Md. Firoj S/O Mohammad Halim @ Halim @ Tima Nat R/O Vill.- Islampur,
P.S.- Jhanjharpur, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat, Adv.

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 24-09-2025 Heard Mr. Baleshwar Kamat, learned counsel for

the petitioner and Mr. Pawan Kumar Chaurasia, learned APP for

the State.

2. The petitioner is apprehending his arrest in connection with Jhanjharpur P.S. Case No. 105 of 2025 for the offence under Sections 319(2), 318(4), 338, 336(2), 340(2) of the BNS lodged on 05.06.2025 by the informant.

3. As per the First Information Report, the informant who is an Additional S.H.O.-cum-Child Development Police Officer, Jhanjharpur Police Station on the direction of Juvenile Justice Board, Darbhanga registered an FIR on 05.06.2025, alleging therein that in Juvenile Justice Board, father of Kallu @ Afroj, Md. Firoj (the petitioner) has filed a forged birth certificate which is said to have been issued from Rajkiya



Madhya Vidyalay, Parbhanga.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and the only allegation against him is that on the basis of forged birth certificate issued from the school, the petitioner's claim with respect to his son to be a juvenile which according to the prosecution case has been found to be forged. Learned counsel further submits that the Headmaster of the School who was noticed in this case, did not produce the correct record and, accordingly, allegations have been *prima facie* found to be forged but if the allegations are examined by taking into account genuine materials, the same would be declared unfounded. Even while assessing the date of birth of the petitioner's son, no expert opinions were sought for in this case.

5. Be that as it may, the authorities, in order to assess the date of birth, have different methodology as provided in the Juvenile Justice (Care and Protection of Children) Act which could have been resorted to verify the same, which admittedly, has not been adopted in this case and the First Information Report was registered.

6. On the other hand, learned APP vehemently opposes the prayer for anticipatory bail of the petitioner.



7. Considering the aforesaid submissions of the parties and the fact that no expert opinion regarding genuineness of birth certificate was taken, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner, above named, 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) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st Jhanjharpur, Madhubani in connection with aforesaid PS Case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors 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 his bail bond by the Trial Court itself;

(iii) 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

(iv) the petitioners shall desist from committing any criminal offence



again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Ajit Kumar, J)

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