

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73402 of 2025

Arising Out of PS. Case No.-43 Year-2024 Thana- KHODAWANDPUR District- Begusarai

Md. Faijuddin @ Md. Fijuddin @ Shamsheer Alam @ Md. Shamsheer Son of
Md. Aliauddin @ Md. Alauddin Resident Of Village - Chakyaddu Malpur
Ward no. 15, Ps- Khodawandpur, Dist- Begusarai Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-11-2025 Heard Mr. Madhav Kumar, learned counsel for the

petitioner and Mr. Damodar Prasad Tiwary, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Khodawandpur P.S. Case No. 43 of 2024, F.I.R. dated 23.03.2024 for the offences punishable under Sections 420, 384, 323, 506 and 34 of the IPC.

3. According to prosecution case, the informant/complainant alleged that the petitioner has taken Rs. 1,50,000/- from him in the name of providing job to his grand daughter and her husband but he neither did so nor he returned his money.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the



allegation as alleged in the F.I.R is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. From perusal of the F.I.R it appears that the year of occurrence is 2015 but the present F.I.R has been instituted in the year 2024 i.e., after delay of about 9 years. Apart from that the informant/complainant has not produced any chit of paper which suggest that the petitioner has received any amount in question from the informant/complainant.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, the informant/complainant has not produced any chit of paper which suggest that the petitioner has received any amount and the present case has been instituted after 9 years of the occurrence, let the petitioner, above named, in the event of 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 the learned Sub Divisional Judicial Magistrate, Manjhaul, Begusarai in connection with Khodawandpur P.S. Case No.43 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. 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.

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 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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