

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74949 of 2025

Arising Out of PS. Case No.-99 Year-2025 Thana- SAKRI District- Madhubani

Md. Tehran S/O Md. Safikur Shafikur Rahman @ Shafiur Rahma @ Md. Shafiq @ Md. Safikul Rahma Resident of village- Makrampur, P.S.- Sakri, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Mishra, Advocate
For the State : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-11-2025 Heard Mr. Sudhir Kumar Mishra, learned counsel for the petitioner and Mr. Bhanu Pratap Singh, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Sakri P.S. Case No. 99 of 2025, F.I.R. dated 12.06.2025 registered for the offences punishable under Sections 126(2), 115(2), 329(3), 109, 303(2), 352, 351(2)((3), 3(5) of the B.N.S., 2023 and Section 25(1-b) a, 26, 27, 35 of the Arms Act.

3. Allegation against the petitioner is that he along with other co-accused persons have assaulted the son of the informant due to which he sustained injury and co-accused Md. Ibrahim fired upon the informant and his son and he was accompanied with the said co-accused.

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 the petitioner has not committed any offence as alleged in the F.I.R. It appears from the F.I.R. that although the petitioner is named in the F.I.R. but there is no specific allegation of any assault or overt act or firing attributed against the petitioner and there is specific allegation of firing is against co-accused persons, namely, Md. Ibrahim, Md. Nihal Akhtar and Md. Dilshad and the only allegation against the petitioner is that he was accompanied with other co-accused persons.

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 no specific allegation of any assault or overt act or firing attributed against the petitioner, 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, Madhubani in connection with Sakri P.S. Case No. 99 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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