

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82936 of 2024

Arising Out of PS. Case No.-258 Year-2024 Thana- BAIRIYA District- West Champaran

Arman Hawari Son of Kamil Hawari @ Kamil Miyan village- Baluwa tola,
Dumariya, Ps- Bairiya, dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ashok Kumar Gupta, Advocate
For the State	:	Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 31-01-2025 Heard learned counsel for the Petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bairiya
P.S. Case No. 5127008240258 of 2024, dated 03.08.2024,
registered for the offences punishable under Sections 126, 127,
115, 118, 109, 303, 354 and 3(5) of the B.N.S. Act.

3. As per allegation, the accused persons including the
petitioner have assaulted the informant and his brother.

4. Learned counsel for the Petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the specific allegation against the
petitioner is that he assaulted the alleged victim Zulfikar Ansari
and as per injury report, he has suffered only abrasion and
inflammation which is simple in nature as per medical opinion.
He also submits that similarly situated co-accused, namely,



Manif hawari @ Manif Alam and Qayamuddin Ansari @ Kyammuddin Ansari, have already been enlarged on bail by this Court *vide* order dated 11.12.2024 passed in Cr. Misc. No. 84542 of 2024.

5. It is also stated in paragraph no. 4 of the bail petition that the petitioner has been languishing in jail since 19.09.2024.

6. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in this case.

7. It has further been stated in paragraph no. 3 of the bail petition that the petitioner has been made accused in two other cases.

8. However, the learned APP for the State vehemently opposes the prayer for bail.

9. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 5127008240258 of 2024, on the following conditions:



(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

ramesh, S. Ali-

U		T	
---	--	---	--

