

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25315 of 2026

Arising Out of PS. Case No.-243 Year-2025 Thana- BANJARIA District- East Champaran

Mahaboob Khan S/o Abdul Mahaboob Khan Resident of Village- Ijara
Nawada, P.S- Sangrampur, Distt- East Champaran Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewanand Tiwari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-04-2026 Heard Mr. Dewanand Tiwari, learned counsel for the
petitioner as well as Mr. Yogendra Kumar Singh, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 12.01.2026 in connection with Banjariya P.S. Case No. 243 of 2025, F.I.R. dated 25.04.2025 for the offences punishable under Sections 118(1), 109, 351(2) of the Bharatiya Nyay Sanhita, 2023.

3. The prosecution case, in brief is that on 04.04.2025 at about 09.00 P.M, when the informant and his friend were going to their house on motorcycle, in the way, two persons came riding a motorcycle and attacked the informant with knife, due to which he received injury. It is further alleged that earlier the petitioner and other accused person gave life threat to the informant and after some days murder attempt was made upon him.

4. Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case merely on the basis of suspicion. It appears from the FIR that date of the occurrence was on 04.04.2025 but the FIR was lodge on 25.04.2025 i.e. after delay of about 21 days, after thought, only to falsely implicate the petitioner. Although due to the scuffle that took place on 04.04.2025, the informant received injury but the injury report of the informant suggest that injury inflicted upon him is simple in nature. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 12.01.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 Judicial Magistrate-I Class, East Champaran, Motihari in connection with Banjariya P.S. Case No. 243 of 2025, subject to the 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)

Suruchi/-

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

