

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30725 of 2026

Arising Out of PS. Case No.-720 Year-2025 Thana- BELAGANJ District- Gaya

Md. Irfan @ Fani @ Md. Irfan Fany @ Fani Miyan Son of Late Nur
Mohammad @ Late Noor Mian Resident of Mohalla- Chhoti Masjid,
Belaganj, P.S.- Belaganj, District- Gaya,

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Gajendra Kumar Singh
For the Opposite Party/s :	Mr. Ajay Kumar No. 2
For the Informant :	Mr. Sanjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-05-2026 Heard Mr. Gajendra Kumar Singh, learned counsel
for the petitioner , Mr. Sanjay Kumar, learned counsel for the
informant and Mr. Ajay Kumar No. 2, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
06.02.2026 in connection with Belaganj Excise P.S. Case No.
720 of 2025 for the offences punishable under Sections 191(2),
191(3), 190, 126(2), 115(2), 109, 352, 351(2) of BNS.

3. The case of the prosecution, in brief, is based on
the written report by one Noor Jahan before Officer-in-Charge,
Belaganj Police Station alleging therein that on 05.12.2025 at
about 10:15 AM my son namely Safdar Iman Rana was the
drain. It is further alleged that in that course all the accused



persons named in FIR itself including the petitioners came there having lashed with sharp, weapons, sword, rod, Bhala in their hands and stated to abuse him and all have assaulted upon Sardar Iman Rana with rod, Sword and other weapons having in their hands by which he sustained injury. It is further alleged that the injured son of the informant was brought to the Belaganj Hospital wherefrom he was referred to the MMCH, Gaya jee, as well as AIIMS, Patna, and to this effect the present case has been registered.

4. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and it appears from the FIR that although the petitioner is named in the FIR but there is no specific allegation of assault or overt act against the petitioner rather the allegations are general and omnibus in nature against the petitioner. It is next submitted that the police after investigation has submitted charge-sheet and petitioner is in custody since 06.02.2026.

5. The learned Additional Public Prosecutor for State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner and submit that after the lodging of the FIR the statement of the informant was recorded in which she has stated that the petitioner has assaulted the



informant and her family members and was involved in the present crime in question and the same is supported by the medical evidence (postmortem report).

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 Court of Chief Judicial Magistrate, Gaya (Gayajee) in connection with Belaganj Excise P.S. Case No. 720 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)

Gaurav Sinha/-

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