

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45473 of 2026

Arising Out of PS. Case No.-167 Year-2026 Thana- CHENARI District- Rohtas

MD. FAJIL SUHAIL @ FAJUL KHAN @ GOLU @ MD. FAZIL SUHAIL
Son of Khalid Khan @ Md. Khalid Khan Resident of Village- Fewandi, P.S.-
Chenari, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh
For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-07-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 126(2),
115(2), 109(1) and 303(2) of the BNS.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a young boy,
aged about 18 years and the informant alleges that on
29.04.2026 at 6:00 A.M., he saw the petitioner committing theft
in his shop accordingly he raised alarm when petitioner
assaulted him by an iron rod causing injury on head and also
took Rs. 5,000/- from his shop and fled away.

4. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the instant case by the informant. It is further submitted that even presuming what has been alleged is true without admitting then it is the first offence of the petitioner and the petitioner is a young boy, aged about 18 years and the injury suffered by the informant has been opined to be simple in nature as would manifest from the order impugned, it is also submitted that if petitioner is sent to judicial custody his entire career would get jeopardized and chances are bright that he may come in contact with the hardened criminals. It is next submitted that if the privilege of anticipatory bail is granted to the petitioner, the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Chenari P.S. Case No. 167 of 2026,



subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S. with a condition that one of the bailors of the petitioner shall be his father, namely, Khalid Khan @ Md. Khalid Khan.

7. However, it is made clear that if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

(Satyavrat Verma, J)

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