

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74150 of 2024

Arising Out of PS. Case No.-788 Year-2022 Thana- BAGHA District- West Champaran

Md. Ishaque @ Md. Ishak son of Late Md. Maneer Village- Baltharba, Bir
Chhapra, P.O. and P.S.- Piprakothi, Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar bihar
2. The Bihar State Food and Civil Supplies Corporation Ltd. through its
Managing Director, Road no. 2, The Bihar State Food and Civil Supplies
Corporation Ltd. through its Managing Director, Road no. 2, Daroga Rai
Path, R-Block, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar
For the Opposite Party/s	:	Mr.Parmeshwar Mehta
For the BSFC	:	Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 09-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in
connection with Bagha Patkhauli P.S. Case No. 788 of 2022
registered for the offence under Sections 420, 409, 120B of the
Indian Penal Code.

3. Learned counsel for the petitioner submits that
Bagha Patkhauli P.S. Case No. 788 of 2022 has been registered
on the same allegations for which Bagha Patkhauli P.S. Case
No. 499 of 2019 was lodged and therefore, the present FIR is
second FIR and the petitioner is already on anticipatory bail in



the first FIR. He further submits that the petitioner is on death bed and he cannot even move or eat on his own.

4. In view of the aforesaid submission, this Court is of the view that once an FIR bearing Bagha Patkhauli P.S. Case No. 499 of 2019 was lodged against the petitioner and he has already been granted anticipatory bail in the same, this FIR is lodged with a mala fide intention and therefore this application is allowed.

5. Let the petitioner, above named, in the event of his arrest, be released on anticipatory bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the jurisdictional investigating officer in connection with Bagha Patkhauli P.S. Case No. 788 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

6. The Investigating Officer concerned is directed to visit the house of the petitioner and will accept the bail bonds.

(Sandeep Kumar, J)

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