

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78847 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- Telta District- Katihar

Md. Matiur Rahaman @ Matiur Rahman Son of Late Md. Farooque Resident
Of Village - Lohargara, Ps- Telta, Dist- Katihar Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. N.K. Agrawal, Sr. Advocate Mr. Kumar Rajdeep, Advocate Mr. Saroj Kumar Choudhary, Advocate
For the Opposite Party/s :	Mr. Jharkhandi Upadhyay, APP
For the Informant :	Md. Tahmeed Helal, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-01-2026 Heard Mr. N.K. Agrawal, learned senior counsel for the petitioner, Md. Tahmeed Helal, learned counsel for the informant and Mr. Jharkhandi Upadhyay, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 02.09.2025 in connection with Telta P.S. Case No. 19 of 2025, F.I.R. dated 11.04.2025 for the offences punishable under Sections 126(2), 115(2), 109, 352, 351(3) and 3(5) of the BNS, 2023.

3. According to prosecution case, all the accused persons including this petitioner have brutally assaulted the informant's nephew by means of iron rod due to which he received grievous injuries.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the



present case. He further submits that the petitioner is named in the F.I.R and the allegation against the petitioner is that he has assaulted to the informant by means of iron rod. He further submits that the injured person received injury which is grievous in nature but there is no intention to kill anyone and due to some dispute the present occurrence has taken place. It appears from the F.I.R that the date of occurrence is 08.04.2025 but the present F.I.R has been instituted on 11.04.2025 i.e., after delay of 3 days without giving any explanation of the said delay. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 02.09.2025.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the injury received by the injured person is grievous in nature and apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits that he is on bail in the pending 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 J.M. 1st Class, Katihar in connection with Telta P.S. Case No. 19 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)

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