

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88257 of 2025

Arising Out of PS. Case No.-137 Year-2025 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

=====

Md. Nashim @ Nashima Miyan @ Nasima Miyan Son of Md. Kasim
Resident of Village- Shiekhopur Sarai, P.S.- Sheikhopur Sarai, District-
Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-01-2026 Heard Mr. Sheo Nandan Prasad, learned counsel for

the petitioner and Mr. Raj Kishor Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Sheikhopur Sarai P.S. Case No. 137 of 2025,
F.I.R. dated 08.10.2025 for the offences punishable under
Section 103 (1) of the B.N.S.

3. According to prosecution case, the specific
allegation of assault is attributed against co-accused namely,
Md. Sarfaraz, who happens to be the son of the petitioner. The
only allegation against the petitioner is that he is trying to
evading his son from the place of occurrence. Except aforesaid,
no any other allegation in the F.I.R. is against the petitioner.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. Both the parties are agnates. Petitioner has been made accused in this case only due to being father of the co-accused, namely, Md. Sarfaraz.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, petitioner has been made accused in this case only due to being father of the co-accused, namely, Md. Sarfaraz. let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 C.J.M., Sheikhpura in connection with Sheikhopur Sarai P.S. Case No. 137 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other 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 her absence on two consecutive dates without sufficient reason, her 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)

Ranjeet/-

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

