

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89162 of 2025

Arising Out of PS. Case No.-264 Year-2025 Thana- BANIAPUR District- Saran

Chand Khan @ Abdul Mannan S/ O Anwar Khan @ Anwar Ali Resident Of
Village - Karah Dargahi Tola,P.S- Baniapur,Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s	:	Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2026 Heard Mr. Chandra Mohan Jha, learned counsel for
the petitioner and Mr. Anil Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Baniyapur P.S. Case No. 264 of 2025, F.I.R. dated 14.06.2025 for the offences punishable under Sections 191(2), 191(3), 190, 127(1), 115(2), 118(1), 117(2), 109, 103(1), 76, 351(2), 352, 3(5) of the B.N.S.

3. According to prosecution case, the petitioner and other co-accused persons are alleged to have assaulted the informant and her family members. Due to assault her husband got grievous injury and died during the treatment.

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. Although, there is specific allegation in the F.I.R. that the 20 unknown persons entered into the house of the informant and assaulted the informant and her family members. From perusal of the F.I.R., it appears that there is no specific allegation of assault against the petitioner in the F.I.R. The said allegation is attributed against the other co-accused persons.

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

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and there is no specific allegation of assault against the petitioner, 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 J.M., 1st Class, Saran at Chapra in connection with Baniyapur P.S. Case No. 264 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)

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