

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.92019 of 2025

Arising Out of PS. Case No.-270 Year-2023 Thana- JOGBANI District- Araria

Mustak Dhuniya @ Mustaque Dhunea son of Late Nur Miya @ Nur
Mohammad Resident Of Village-Fena Belahi, Ward No 11, P S -Jogbani
(Bathnaha), Distt -Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-01-2026 Heard Mr. Vijay Kishore Bharti, learned counsel for

the petitioner and Mr. Anil Kumar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
04.09.2025 in connection with Jogbani (Bathnaha) P.S. Case
No. 270 of 2023, F.I.R. dated 02.11.2023 for the offences
punishable under Sections 147, 148, 149, 341, 384, 467, 468,
469, 504, 506 and 120(b) of the IPC.

3. Earlier the petitioner has been granted regular bail
vide order dated 04.10.2024 passed in Cr. Misc. No. 48906 of
2024 but the bail bond of the petitioner has been rejected on the
ground that the petitioner has concealed his criminal antecedents
while furnishing the bail bond.



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 bail bond of the petitioner has been cancelled vide order dated 04.09.2025 and the petitioner is in custody since 04.09.2025 in the present case.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner does not deserve the privilege of regular bail on the ground that petitioner carries ten criminal antecedents other than the present one.

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, Araria in connection with Jogbani (Bathnaha) P.S. Case No. 270 of 2023, 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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