

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53400 of 2023**

Arising Out of PS. Case No.-275 Year-2023 Thana- SASARAM NAGAR District- Rohtas

Gulam Kadir S/O Md. Suleman @ Mohammad Suleman Resident Of Mohalla  
Power House Shahzuma P S Sasaram T District Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mithilesh Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      23-08-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. Petitioner seeks bail, who is in custody since 31.05.2023, in connection with Sasaram (T) P.S. Case No. 275 of 2023, F.I.R. dated 31.03.2023 registered for the offences punishable under Sections 307, 147, 148, 149, 188, 153(A), 341, 342, 323, 337, 338, 353, 427, 435, 436, 504, 505, 506 of the Indian Penal Code and later on Section 302 of the Indian Penal Code and Section 27 of the Arms Act were added.

3. As per prosecution case, allegation against the petitioner and 200-250 unknown persons is that they due to communal disharmony assaulted many people.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case merely on the basis of suspicion. He further submits that the petitioner is not named in the F.I.R.



and name of the petitioner has been transpired on the basis of secret information and from a bare perusal of the F.I.R. it appears that there is no specific allegation of assault or overt act attributed against the petitioner and the several co-accused persons who were named in the F.I.R. have been granted bail by this Hon'ble Court, one of the co-accused persons namely Md. Sahkir @ Md. Sakir, Manzar Hussain and Md. Shadik Akhtar @ Sidki Akhtar have been granted bail by a Coordinate Bench of this Court vide order dated 14.07.2023 passed in Cr. Misc. No. 41274 of 2023 and Cr. Misc. No. 41338 of 2023 respectively, another co-accused person namely Aftab Alam @ Popat has been granted bail by a Coordinate Bench of this Court vide order dated 21.07.2023 passed in Cr. Misc. No. 42157 of 2023, another co-accused persons namely Rezwani Khan @ Rizwan Khan has been granted bail by a Coordinate Bench of this Court vide order dated 14.07.2023 passed in Cr. Misc. No. 42251 of 2023 and other similarly situated a number of co-accused persons have been granted bail by a different Benches of this Hon'ble Court. The petitioner is in custody since 31.05.2023.

5. The learned Additional Public Prosecutor for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner .

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on



furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (T) P.S. Case No. 275 of 2023, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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.

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**(Rajesh Kumar Verma, J)**

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