

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8511 of 2025

Arising Out of PS. Case No.-456 Year-2024 Thana- PAKARIBARAW District- Nawada

Mohammad Sajid @ Md. Sajid @ Mohd Sajid Son of Md. Sahid Resident of
village -chhoti talab, Pakribarwan Ps and Po- Pakrivarwan, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Nivedita Nirvikar, Sr. Advocate
		Mrs. Shashi Priya, Advocate
For the Opposite Party/s :		Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-05-2025 Heard Mrs. Nivedita Nirvikar, learned senior
counsel for the petitioner and Mr. Lalan Kumar, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Pakribarawan P.S. Case No. 456 of 2024, F.I.R.
dated 07.10.2024 for the offences punishable under Section
309(3) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, the informant was
returning from Union Bank after withdrawing Rs. 4,50,000/- in
cash where three miscreants intercepted him and hit his vehicle
due to which he fell in the paddy field. It is further alleged that
one miscreant pointed gun towards him and others snatched his
bag containing cash, mobile phone and bike keys and fled away.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. She further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused, namely, Md. Tabiz Khan and except the confessional statement of the co-accused, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence. Apart from that, the similarly situated co-accused, namely, Sonu @ Md. Usman against whom there is similar allegation has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 09.05.2025 passed in Cr. Misc. No. 2569 of 2025.

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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, his name has been transpired on the basis of the confessional statement of the co-accused person and the similarly situated co-accused person has been granted anticipatory bail by a Co-ordinate Bench of this Court, let the petitioner, above named, in the event of 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 Additional Chief Judicial Magistrate II, Nawada in connection with Pakribarawan P.S. Case No. 456 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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 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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