

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17336 of 2025

Arising Out of PS. Case No.-324 Year-2024 Thana- BHAGWANPUR District- Vaishali

Md. Sahjad Alam @ Shahzad Alam S/o- Md. Harin @ Md. Haroon Moh-
Dargah Road Madai Patthar ki Masjid Ps- Patel Nagar Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prabhat, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, Adv.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 16-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seek bail in a case instituted for the
offence under Section 309(4) of B.N.S.

3. As per the prosecution case, four unknown
miscreants are stated to have looted a truck which was loaded
with TMT bars.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case as he was not even named in the FIR. His name has
surfaced in the confessional statement of the co-accused namely
Kundan Kumar. He further submits that no incriminating article
was recovered from his conscious possession rather, the same
was recovered from a premises owned by a person namely



Zeeshan Khan, who happens to be the proprietor of the alleged firm. It is next submitted that one co-accused namely Upendra Kumar who is similarly situated and also an employee of the said construction company like the petitioner, has been granted bail by the Co-ordinate Bench of this Court vide Order dated 17.03.2025 passed in Cr. Misc No. 14433 of 2025. Lastly, it has been submitted that the petitioner has clean antecedent and is in custody since 28.11.2024.

5. Learned APP for the State vehemently opposed the prayer of bail of the petitioner and stated that the petitioner was apprehended along with the stolen TMT bars.

6. Considering the aforesaid submissions and taking into account the period of custody, let the petitioner, above named, be enlarged on bail, upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/concerned court, in connection with Bhagwanpur P.S. Case No. 324 of 2024 subject to the following conditions:

- a. One of the bailor of the petitioner shall be his close relative.
- b. The petitioner will remain physically present in



Court on each date of the trial.

c. In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

d. 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 of cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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