

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23687 of 2025

Arising out of PS. Case No.-2 Year-2025 Thana- Singhaul District- Begusarai

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1. Md. Irshad S/o Yahiya @ Md. Yahiya R/o vill - Laruara, P.S.- Singhaul, Distt.- Begusarai
 2. Md. Shadiya @ Md. Irshad @ Irshad S/o Md. Barkat @ Halchal R/o vill - Laruara, P.S.- Singhaul, Distt.- Begusarai. Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
		Mr. Ritwaj Raman, Advocate
		Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s:		Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 14-05-2025 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

2. The petitioners seek bail in connection with Singhaul P.S. Case No. 02 of 2025 dated 03.01.2025 instituted for the offences under Sections 126(2), 118(1), 109 and 3(5) of Bhartiya Nyay Sanhita (BNS), 2023. He has no criminal antecedent.

3. As per the FIR the informant has alleged that on 03.01.2025, her son namely Amir Sohail @ Monu, who had gone out to eat and drink with his friends and when she had called him then his son informed her that he is along with Md. Irshad (Petitioner no. 1), Md. Shadiya (Petitioner no. 2) and one Raushan Kumar. Later on the informant was informed by one Md. Alamgir that her son has been stabbed by knife and had



been thrown away.

4. Learned counsel for the petitioners submits that from bare perusal of the FIR it is evident that the petitioners were along with the son of the informant and it was merely on suspicion the petitioners have been made accused in the present case. Learned counsel for the petitioners further submits that from the statement of Amir Sohail, the son of the informant, it would be evident that as far as the petitioners were concerned, it is stated that they had only dropped the son of the informant near the gate of R.S. Pandit under conspiracy and co-accused persons namely Raushan Kumar, Nitish Kumar and Lalo Paswan had assaulted him. It is also submitted by learned counsel for the petitioners that even going by the allegations made by the injured, the petitioners' role is confined to only conspiracy with other co-accused who was assaulted by other co-accused persons. It is lastly submitted by learned counsel for the petitioners that the petitioners have clean antecedent and are in custody since 04.01.2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners and has submitted that the petitioners have assaulted the son of the informant resulting in grievous injuries sustained by the son



of the informant.

6. Considering the aforesaid submissions of respective counsel and taking into account the fact that it was merely on suspicion the petitioners have been made an accused in this case and there is no specific allegation of overt act against the petitioners and the petitioners have clean antecedents and are in custody since 04.01.2025, the petitioners above named, are directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Judicial Magistrate, 1st Class, Begusarai in connection with Singhaul P.S. Case No. 02 of 2025, subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be canceled by the Court concerned.



(iv) And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

(Sourendra Pandey, J)

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