

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26282 of 2025**

Arising Out of PS. Case No.-236 Year-2024 Thana- SITAMARHI District- Sitamarhi

Md. Shan @ Md. Ahsan @ Ahsan @ Ehsaan son of Late Md. Nisar Resident  
of Village -Mehsaul Gote, Ward No 38, PS -Sitamarhi District -Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shankar Kumar, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      05-05-2025      Heard learned counsel for the petitioner and learned  
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sitamarhi P.S. Case No. 236 of 2024 registered for the alleged offences under Section 392 of the Indian Penal Code, however, charge sheet has been submitted under Sections 395 & 414 of the Indian Penal Code.

3. As per prosecution case, five miscreants surrounded the informant and started assaulting the informant on the point of gun, knife and blade and stanchd Rs.8,000/- cash, mobile, gold ring of Rs.20,000/-, Aadhar card and PAN card. The name of the petitioner transpired during investigation as one of the accused persons.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The petitioner has been apprehended in this case merely on suspicion and thereafter, his confessional statement was recorded but there is no recovery from the petitioner or at his instance. Learned counsel further submits that the informant has claimed that he could identify the miscreants but no TIP has been conducted and charge sheet has been submitted. The petitioner is accused in 8 cases and he is on bail in most of the cases. The petitioner is in custody since 06.04.2024 and charge sheet has been submitted.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner appears to be a habitual offender.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi/concerned Court in connection with Sitamarhi P.S. Case No. 236 of 2024, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also



the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.
- (iv) If it is found that any recovery has been made at the instance of the petitioner, his bail bonds will not be accepted.

**(Arun Kumar Jha, J)**

DKS/-

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