

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28645 of 2025

Arising out of PS. Case No.-312 Year-2024 Thana- UCHKAGAON District- Gopalganj

Sahjad S/o Jainul Hazam Resident of Village- Pakauli Narayan, PS- Phulwariya, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh, Advocate

For the Opposite Party/s: Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Uchkagaon P.S. Case No. 312 of 2024, registered for the offences punishable under Sections 126(2), 115(2), 308(5), 109, 351(2) and 3(5) of BNS and Section 27 of the Arms Act. He has eight criminal antecedents.

3. The prosecution case is to the effect that all the named accused persons including the petitioner had assaulted one Niraj Yadav. It is further alleged that the co-accused namely Manish Yadav had fired upon the husband of the informant namely Niraj Yadav hitting him on the chest.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has not committed any offence. It



is further submitted by learned counsel for the petitioner that there is specific allegation of assault upon Manish Yadav who has fired upon the victim. It is also submitted by learned counsel for the petitioner that co-accused namely Ebrar Alam @ Abrar Alam has been granted bail by a Co-ordinate Bench of this Court *vide* order dated 13.05.2025 passed in Cr. Misc. No. 13483 of 2025. It is lastly submitted by learned counsel for the petitioner that the petitioner is in custody since 27.11.2024.

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

6. Considering the aforesaid facts and circumstances of the case and submission made by learned counsel for the respective parties and taking into account the fact that similarly situated co-accused person has been granted bail a Co-ordinate Bench of this Court and the petitioner is in custody since 27.11.2024, let the petitioner, above named, 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 court of learned Additional Chief Judicial Magistrate-I, Gopalganj, in connection with Uchakagaon P.S. Case No. 312 of 2024, subject to 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, if so required by the learned Trial Court.

(iii) In case the prosecution is found the petitioner's involvement in similar nature of allegation after his release and in case of absence on two 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) And further condition that the court below shall verify the except eight criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent except these eight cases, 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 the same or in the name of
verification.

(Sourendra Pandey, J)

Vikash/-

U		T	
---	--	---	--

