

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26328 of 2025

Arising Out of PS. Case No.-25 Year-2020 Thana- JAMOBABAZAR District- Siwan

Md. Sahabuddin S/O Reyajudin R/O Village- Dudhra, P.S- Goriyakothi,
Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-07-2025 Heard Ms. Kumari Anupam, learned counsel for the
petitioner and Mr. Parmanand Prasad, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Jamo Bazar P.S. Case No. 25 of 2020, F.I.R. dated 22.02.2020 for the offences punishable under Sections 385 and 387 of the Indian Penal Code.

3. According to prosecution case, some unknown accused persons were said to have demanded Rs.25,00,000/- (Rupees Twenty Five Lakh) as extortion money and also threatened to kill on non-fulfillment of the demand.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the FIR, his name has been transpired during investigation on



the basis of confessional statement of the co-accused person, namely, Abhishek Kumar and except the aforesaid, no other material has come during the investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one criminal antecedent of similar nature other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, petitioner is not named in the FIR and name of the petitioner has been transpired during investigation on the basis of confessional statement of the co-accused, namely, Abhishek Kumar, let the petitioner, above named, in the event of his 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 Judicial Magistrate-I, Siwan, in connection with Jamo Bazar P.S. Case No. 25 of 2020, subject to the conditions



as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 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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