

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31225 of 2025

Arising Out of PS. Case No.-657 Year-2024 Thana- ARA NAGAR District- Bhojpur

Md. Shanwaj @ Md. Sahnwaj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 31414 of 2025

Arising Out of PS. Case No.-657 Year-2024 Thana- ARA NAGAR District- Bhojpur

Md. Aftab

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 31225 of 2025)
For the Petitioner/s : Mr. Raju Kumar Singh, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 31414 of 2025)
For the Petitioner/s : Mr. Raju Kumar Singh, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 28-07-2025 Heard Mr. Raju Kumar Singh, learned counsel for

the petitioners and Mr. Lalan Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in

connection with Ara Nagar P.S. Case No. 657 of 2024, F.I.R.

dated 06.10.2024 for the offences punishable under Sections

126(2), 127(2), 308(5), 308(4), 111, 61(2) of Bharatiya Nyay



Sanhita, 2023 and 27 of Arms Act.

3. According to prosecution case, the informant that the petitioners threatened him to pay the amount as demanded by them or otherwise the informant and his family would be killed and due to this informant's family is living in constant fear.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. It appears from the FIR that due to admitted land dispute the present occurrence has taken place and earlier the informant has filed a case against the petitioners bearing Ara Nagar P.S. Case No.645 of 2024 for the same set of allegation. He further submits that co-accused person, namely. Md. Sahid disclosed the name of the petitioners and except the aforesaid no other cogent material has come during investigation against the petitioners which suggest the involvement of the petitioners in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that both that petitioners have one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that they are on bail in the



pending matter.

6. Considering the aforesaid facts and circumstances, there is land dispute between the parties and the co-accused person has confessed the involvement of the petitioner in the present occurrence, let the petitioners, above named, in the event of 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) each with two sureties of the like amount each to the satisfaction of the learned C.J.M, Bhojpur at Ara in connection with Ara Nagar P.S. Case No. 657 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, 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 or in the name of verification.

(Rajesh Kumar Verma, J)

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