

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31422 of 2025

Arising Out of PS. Case No.-42 Year-2024 Thana- Vasudevpur District- Munger

Md. Naushad @ Nausi @ Fiter S/O Late Md. Sonu R/O Mohalla- Harrak,
P.S- Nagar Thana, Distt.- Munger at present reside at Raisar, P.O and P.S-
Basudevpur, Distt- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Saurabh, Advocate Ms. Puja Kumari, Advocate
For the State	:	Mrs. Pushpa Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 19-05-2025 Heard learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail in connection with
Vasudevpur P.S. Case No. 42 of 2024 for the offences
punishable under Sections 341, 307 of Indian Penal Code and
27 of Arms Act. Petitioner has clean antecedent.

3. The prosecution case is to the effect that the son of
the informant, namely, Bhavesh Kumar called the informant and
informed that he has been shot at near the Lalmatiya Kabristan
by unknown persons. The informant reached at the place of
occurrence and then took his son for treatment.

4. The learned counsel for the petitioner submits that
the petitioner is not named in the FIR and during the course of



investigation, the fardebeyan of the victim was recorded by the police in which he has stated that co-accused Md. Sahzada, Md. Sanni and one unknown person had fired upon him. The learned counsel further submits that it was in the statement of one person, namely, Babar, who has been stated to be an eye-witness to the occurrence, has stated that all the three persons had fired upon the son of the informant including the petitioner. The learned counsel further submits that other two accused persons, namely Md. Sahjada and Md. Sanni have been granted bail by a Co-ordinate Bench of this Hon'ble Court and the order of the same is annexed as Annexure P/2 series in the bail petition. Lastly, it has been submitted that petitioner is in custody since 30.09.2024 and has clean antecedent.

5. The learned A.P.P. for the State has opposed the prayer for bail and has stated that petitioner along with other co-accused persons had fired upon the son of the informant and hence he does not deserve the liberty of bail.

6. Considering the aforesaid facts and circumstances and taking into account that there is general and omnibus allegation made by the victim himself and the other similarly situated co-accused, namely Md. Sahjada and Md. Sanni having been granted bail by a Co-ordinate Bench of this Hon'ble



Court , I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. 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 Judicial Magistrate 1st Class, Munger, in connection with Vasudevpur P.S. Case No. 42 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, 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 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.

(Sourendra Pandey, J)

Siwani/-

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

