

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35407 of 2025

Arising Out of PS. Case No.-390 Year-2024 Thana- BHARGAMA District- Araria

Sahwaz @ Md. Shahbaz S/o- Shakil Resident of Village- Bishariya Jannatpur
ward No 11 PS- Bhargama, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 10-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bhargama P.S. Case No. 390 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 308(3), 74, 303(2), 352, 351(2) and 3(5) of the BNS.

3. As per the prosecution story, the informant has alleged that on 18.12.24, at about 11:00 am, the contractor was digging the road near his house and he was supervising the road construction. In the meantime, all the F.I.R. named accused persons armed variously, came there and started demanding extortion of Rs. 1,00,000/- and threatened that failing to do so, they would kill his family members. Thereafter, all the accused



brutally assaulted his family members and snatched a silver jewellery, a mobile phone and cash of Rs. 25,000/-.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to prior enmity between the parties. The FIR contains specific allegations against the petitioner of assaulting the wife and son of the informant, which are wholly false and fabricated. The charges of looting jewellery, mobile phones, and money from the wife and son of the informant are similarly baseless and concocted. It is further submitted that the petitioner and the informant have a history of animosity, arising from previous electoral contests where the petitioner had contested the ward member and PACS elections against the informant's son, Irshad. After the completion of the investigation, the police have submitted a chargesheet against the petitioner. The injury report reveals that except for injury number one, all other injuries are simple in nature. Petitioner is in custody since 19.03.2025 having no criminal antecedent.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, be



released on bail **after framing of charge** 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, Araria in connection with Bhargama P.S. Case No. 390 of 2024

(S. B. Pd. Singh, J)

Ankit Kumar/-

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