

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40843 of 2025

Arising Out of PS. Case No.-160 Year-2023 Thana- GORIAKOTHI District- Siwan

Shahzad Alam @ Sajad @ Sahjad @ Md. Shamshad @ M.D. Samshad @
Shamshad S/o Md. Nasir Resident of vill-Laxmipur Siswan Dhala, PS- siwan
town, Dist- 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. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-07-2025 Heard Ms. Kumari Anupam, learned counsel for the

petitioner and Mr. Anil Kumar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
07.01.2025 in connection with Goriyakothi P.S. Case No. 160 of
2023, F.I.R. dated 30.05.2023 for the offences punishable under
Sections 341, 323, 307, 379 and 34 of the IPC.

3. According to prosecution case, the accused
persons assaulted the informant by means of lathi on the head.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he is in custody since
07.01.2025. He further submits that although there is specific
allegation against this petitioner that he has assaulted the



informant and the informant has received injury. He further submits that from perusal of the F.I.R., it appears that due to admitted land dispute the present occurrence has been taken place and the informant is family member of the petitioner. He further submits that the co-accused persons, namely, Md. Shamshad @ Md. Samshad and Shahzad Alam have been granted bail by this Court vide order dated 26.06.2024 passed in Cr. Misc. No. 38037 of 2024 and the police after investigation submitted a charge-sheet.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 learned J.M-I, Siwan in connection with Goriyakothi P.S. Case No. 160 of 2023, subject to the 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)

Jyoti Kumari/-

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