

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60846 of 2024

Arising Out of PS. Case No.-227 Year-2023 Thana- CHIRAIYA District- East Champaran

Sahid Khan @ Shahid Khan @ Sahid @ Sajid @ Sazid Son Of Late Seraj
Khan Village- Madhopur, Ps- Chiraiya, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Prasad, Adv.

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 17-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Chiraiya P.S. Case No. 227 of 2023 dated 16.05.2023, lodged
under Sections 307 and 34 of the I.P.C. read with Section 27 of
the Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against unknown accused persons by the informant.

4. Learned counsel for the petitioner submits that the
name of the petitioner has figured in this case by virtue of the
confessional statement of one co-accused Vicky Kumar. He
submits that criminal antecedent of the petitioner is not clean.
There are 6 criminal cases pending against the petitioner and he
is not on bail in any of the said cases. He further submits that



nothing has been recovered from the possession of the petitioner, nor he was put on TIP. He is in custody since 18.09.2023 and ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

5. Learned A.P.P. for the State on the other hand opposes the prayer for bail and submits that there are suppression made by the petitioner, as it transpires from the order passed by the 1st Additional Sessions Judge, East Champaran, Motihari at the time of rejecting bail petition of the petitioner. He submits that in paragraph 6 of the bail order, it becomes crystal clear that from paragraph 8 of the case diary, it appears that petitioner have 8 criminal antecedents and most of them are related to commission of robbery, dacoity and Arms Act but in paragraph 3 of the present bail application, the detail of only 6 cases has been mentioned.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, East Champaran, Motihari in connection with Chiraiya P.S. Case No. 227 of 2023, subject to the conditions as



laid down under Section 437(3) of Cr.P.C. with other following conditions:

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

7. The Trial Court shall verify that whether there are 6 cases pending against the petitioner or 8 cases, as mentioned in paragraph 8 of the case diary. In case, it has been found that there are 8 cases pending against the petitioner, the bail order



made by this Court shall not be effective but in case it has been found that only 6 cases are pending against the petitioner, in that case, the petitioner shall be released on bail.

(Dr. Anshuman, J)

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