

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48407 of 2025

Arising Out of PS. Case No.-210 Year-2015 Thana- PUPRI District- Sitamarhi

Md. Irshad S/O Md. Hanif R/O Village- Balu Tola, Bachharpur, P.S- Pupri,
Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner seeks bail in connection with
Pupri P.S. Case No. 210 of 2015 dated 20.08.2015
registered for the offence punishable under Sections 147,
341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal
Code.

3. The prosecution case, in short, is that the
informant and petitioner came at Railway *Gumti*. On
instigation of the petitioner, all accused surrounded the
informant and demanded ransom. On refusal, they assaulted
the informant with fists and slaps and gave knife blow on
his head and near eye with an intention to kill him. Co-



accused Ladle assaulted him with fighter wearing in his palm and remaining accused assaulted him with fists and slaps and *danda*. Petitioner along with co-accused persons also gave him knife blow on his thigh, back and palm due to which the the informant received serious injuries, became unconscious and fell down.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is a case of misuse of bail granted by this Court on 20.12.2016 *vide* Criminal Miscellaneous No. 36769 of 2016. The petitioner was released on 20.12.2016, thereafter, the petitioner became absent from the proceeding since 06.05.2022 as he went out of station to earn his livelihood. When he came to know about issue of non-bailable warrant, he surrendered before the Court on 23.01.2025. It is submitted that there is no laches on the part of the petitioner as he went out of State to earn his livelihood. Lastly, it has been submitted that the petitioner is in custody since 23.01.2025, having no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer



for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Sitamarhi in connection with Pupri P.S. Case No. 210 of 2015, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

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