

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54924 of 2025

Arising Out of PS. Case No.-506 Year-2015 Thana- LAKHISARAI District- Lakhisarai

Md. Shahzad @ Shahzad @ Md. Sajjad S/O Md. Nasir @ Md. Nasheer
Resident of Village- Auraiya, P.S.- Lakhisarai, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-08-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Lakhisarai P.S. Case No. 506 of 2015, instituted for the offences punishable under Section 376 of the Indian Penal Code.

3. The prosecution case, in short, is that the petitioner has established physical relationship with the victim on the pretext of marriage.

4. Learned counsel for the petitioner submits that the present case is misuse of privilege of bail earlier granted to the petitioner. Earlier the petitioner was granted bail on 16.08.2017 by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 37790 of 2017. It is submitted that the petitioner was present



before the trial Court regularly but due to some misunderstanding his bail bond was cancelled on 22.04.2025 due to non-appearance of the petitioner. It is also submitted that when he got knowledge about cancellation of his bail bond, he suo-motu surrendered before the Court below on 04.07.2025. Thus, there is misuse of privilege of bail for three months. Learned counsel for the petitioner further submits that the petitioner undertakes to abide by any conditions imposed by this Court, if released on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner as also the undertaking given by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lakhisarai P.S. Case No. 506 of 2015, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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