

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60127 of 2025

Arising Out of PS. Case No.-321 Year-2024 Thana- SUGAULI District- East Champaran

Naeem khan S/o Late Amanullah khan @ Late Amanutullah Khan Resident of
village - Nakardei, P.S.- Sugauli, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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

ORAL ORDER

2 03-09-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Sugauli P.S. Case No. 321 of 2024, instituted for the offences punishable under Sections 126(2), 115, 118(1), 117(2), 109, 303(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. Earlier the petitioner was granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 08.01.2025 passed in Cr. Misc. No. 89048 of 2024. However, in view of the condition imposed in the bail order for verification of the criminal antecedents of the petitioner, it was subsequently



found that the petitioner had suppressed his criminal antecedents, consequently, the bail bonds of the petitioner were not accepted by the learned Court below. Thereafter, the petitioner filed an application for modification of the aforementioned bail order, which, upon consideration, was also dismissed by a Co-ordinate Bench of this Court vide order dated 05.03.2025 passed in Cr. Misc. No. 14812 of 2025.

4. The prosecution case, in short, is that while the informant's husband, family members and other villagers were participating in religious procession, the accused persons including the petitioner assaulted informant's husband and other family members with an intention to kill them.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that there is delay of two days in lodging the FIR. The allegation levelled against the petitioner is of assaulting informant's husband by means of *farsa* causing head injury to him, but the injury is simple in nature. The petitioner is in custody since 03.07.2025 and has got eight criminal antecedents in which he is on bail in seven cases.



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

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

8. 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 Sugauli P.S. Case No. 321 of 2024, 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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