

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62075 of 2025

Arising Out of PS. Case No.-323 Year-2024 Thana- SABAUR District- Bhagalpur

Md. Chand @ Mohammad Chand S/o Mohammad Ijhar @ Md. Ghokuya R/o
Village/ Mohalla- Safiagarhi, P.S.- Sabour, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Sharma, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Sabour P.S. Case No. 323 of 2024 lodged on 07.09.2024, for the offence punishable under Sections 126(2), 115(2), 109, 132, 74, 308(3), 308(4), 262, 352 & 351(2) of the Bharatiya Nyaya Sanhita, 2023 and sections 25(1-B)(a) & 26 of the Arms Act.

3. Learned counsel for the petitioner submits that the bail application of the petitioner was earlier rejected *vide* order dated 06.08.2025 passed in Cr. Misc. No. 36638 of 2025. Counsel submits that one loaded *desi katta* along with four live cartridges have been recovered from the petitioner's possession and petitioner has six criminal antecedents. Counsel submits that on the early occasion, the order has not been passed on



merit, rather, nobody appeared on behalf of the petitioner and on the basis of records available, the order was passed. Counsel further submits that *vide* order dated 12.09.2025, this Court has directed the counsel for the petitioner to file a supplementary affidavit bringing on record substantial proof to show that the petitioner is not absconding in any of the cases pending against him. In this regard, counsel submits that he has filed a supplementary affidavit in which it has been indicated that he is on bail in all the cases and ready to fulfill all the conditions whatsoever shall be imposed. Counsel further submits that the petitioner is in custody since 08.09.2024.

4. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner has six criminal antecedents.

5. In the present facts and circumstances of this case, let the above named petitioner be granted bail on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are mentioned below, and on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Chief Judicial Magistrate, Bhagalpur in connection with Sabour P.S. Case No. 323 of



2024, subject to the conditions as laid down U/s 480(3) of the
B.N.S.S., 2023.

6. Pending cases against the petitioner are as follows:-

- (I)- Sabour P.S. Case No. 89 of 2018.
- (II)- Sabour P.S. Case No. 107 of 2018.
- (III)- Sabour P.S. Case No. 159 of 2020.
- (IV)- Sabour P.S. Case No. 179 of 2021.
- (V)- Sabour P.S. Case No. 24 of 2022.
- (VI)- Sabour P.S. Case No. 316 of 2024.

(Dr. Anshuman, J)

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