

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61031 of 2025

Arising Out of PS. Case No.-539 Year-2024 Thana- ARARIA District- Araria

Md. Sahil Alam @ Md. Shahil Alam @ Md. Sahil son of Md. Moin @
Mohammad Moin Resident Of Village -Kusthan Police Station- Bihariganj
District -Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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

ORAL ORDER

2 01-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Araria
P.S. Case No. 539 of 2024 corresponding to Sessions Trial No.
116 of 2025 instituted for the offences under Sections 103(1),
3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the
Arms Act.

3. Prosecution case, in short, is that, on the alleged
date and time, the informant got an information that his brother
has been shot by unknown persons. On this information, the
informant rushed to the spot and the informant's brother was
taken to hospital where he died during course of treatment.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of CCTV and thereafter, the petitioner was arrested by the police and his confessional statement was recorded by coercive methods, which has no evidentiary value in the eye of law. Except the confessional statement, there is no material against the petitioner to show his involvement in the alleged offence. It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.10.2024 and has three criminal antecedent. The co-accused person has already been granted bail by this Court vide order dated 11.08.2025 passed in Cr. Misc. No. 19777 of 2025.

5. Learned A.P.P. 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, claim based on parity as also the period of custody undergone 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 Araria P.S. Case



No. 539 of 2024 corresponding to Sessions Trial No. 116 of 2025, 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.

(III) 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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