

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71612 of 2025

Arising Out of PS. Case No.-365 Year-2025 Thana- GOPALGANJ TOWN District-
Gopalganj

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Shamsuj Joha @ Sohel Ahmad @ Raju @ Md. Samsu Joha @ Shamshun
Johar @ Sham Suzzoha S/O Kamrul Hoda, Resident of Village - Fazil Tola,
Kail, P.S. - Barharia, District – Siwan.

... .. Petitioner

Versus

The State of Bihar Patna

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Bijay Prakash Singh, Advocate
For the State : Mr. Arun Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 09-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the
petitioner, apprehending his arrest, in connection with
Gopalganj PS. Case No.365 of 2025, dated-15.05.2025,
registered for the offences punishable under Sections 61(2), 109
of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the
Arms Act.

3. As per allegation, two motorcyclists had fired at the
Informant with intent to kill him and he has apprehension that it
is the Petitioner who has role in this incident of attempt to
murder on account of land dispute.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that he has nothing to do with the alleged offence and the case against the Petitioner is based on suspicion.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in one other case in which he is on bail.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Gopalganj PS. Case No.365 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.,



2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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