

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75010 of 2025

Arising Out of PS. Case No.-153 Year-2024 Thana- AMAS District- Gaya

Shahid Khan S/O Nasruddin Khan Resident of Village- Karmauni, P.S.-
Dobhi, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Advocate
For the Opposite Party/s : Mr.Kalyan Shankar, APP

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

ORAL ORDER

2 31-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Sessions Trial No. 687 of 2024 (105 of 2024) arising out of Amas P.S. case No. 153 of 2024 instituted for the offences under Sections 307, 326 and 120B of the Indian Penal Code. The present one is the second application for grant of bail filed on behalf of the petitioner. Earlier, the bail application of the petitioner was rejected vide order dated 23.01.2025 passed in Cr. Misc. No. 70122 of 2024 granting liberty to the petitioner to renew the prayer for bail if trial is not concluded within a period of six months.

3. Prosecution allegation, in short, is that the brother of the informant sustained fire arm injury by the petitioner and



at the instance of one Mokhtar Khan.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Charge-sheet has been submitted in this case. There is no independent witness to the occurrence. It is submitted that the petitioner had never talked with the Mokhtar Khan. Learned counsel further submits that as per allegation, brother of the informant sustained gun shot injury at the hands of the petitioner while he himself stated that there was darkness at the time of incident and he received gun shot on his back side. Learned counsel for the petitioner also submits that cognizance has been taken against the petitioner and till date charge has not been framed. The petitioner is in custody since 01.06.2024 and has got twelve criminal antecedents. Co-accused has been granted bail by this Bench vide order dated 23.01.2025 passed in Cr. Misc. No. 70266 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP submits that there is allegation of firing against the petitioner and has as many as twelve criminal antecedents. Hence, the petitioner does not deserve bail.

6. Considering the aforesaid facts and circumstances



of the case and 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, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sessions Trial No. 687 of 2024 (105 of 2024) arising out of Amas P.S. case No. 153 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.

(III) The petitioner will not hamper the trial or temper with any prosecution evidence. If he is found involved in such incidence, the prosecution shall have liberty to take steps for cancellation of bail granted to the petitioner.

(Rudra Prakash Mishra, J)

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