

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.436 of 2026

Arising Out of PS. Case No.-69 Year-2025 Thana- BAKHTIYARPUR District- Patna

Md. Minhaj Alam @ Md. Pintu Alam S/O Md. Subhan Ali R/O Vill.- Chak Daulatpur, P.S.- Bakhtiyarpur, Dist.- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Sumendar Paswan S/O Late Yogeshwar Paswan R/O Vill.- Chak Daulatpur, P.S.- Bakhtiyarpur, Dist.- Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Alok Kumar Alok
For the Respondent/s	:	Mr.Binay Krishna
		Ms.Sushma Kumari
		Mr.Bhim Sen

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 01-05-2026 1. Heard learned counsel for the appellant and the learned Special Public Prosecutor for the State.

2. The appellant has challenged the order dated 07.01.2026 passed by the learned Exclusive Special Judge, SC/ST (POA) Act, Patna in connection with Special Case No.269 of 2025, Serial No.99 of 2025 arising out of Bakhtiyarpur P. S. Case No.69 of 2025, instituted for the offences under Sections 103(1) and 3(5) of the B.N.S., Section 27 of the Arms Act and Section 3(1)(r)(s)/3(2)(v) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, whereby his prayer for grant of regular bail has been rejected.



3. The learned counsel appearing on behalf of the appellant submits that from perusal of the FIR, it would manifest that the same is Bakhtiyarpur P. S. Case No.69 of 2025 dated 19.02.2025, but the search and seizure memo appended with the FIR records the number of FIR as 16 of 2025 dated 19.02.2025, as such, it is submitted that the said mistake occurred on account of inadvertence committed by the authority preparing the search and seizure memo. It is also submitted that the search and seizure memo is of the instant FIR.

4. In view of the submissions made by the learned counsel appearing on behalf of the appellant, the defects as pointed out by the office for the present is ignored as it has been submitted by the learned counsel appearing on behalf of the informant that trial has commenced and witnesses are being examined and two prosecution witnesses till date have been examined.

5. The learned counsel appearing on behalf of the appellant submits that appellant is a person with clean antecedent and is not named in the FIR and the allegation of firing is against Sahil Alam. It is also submitted that appellant came to be implicated in the instant case during the course of investigation by the informant who took his name. It is also



submitted that similarly situated co-accused Ibran Alam and Irfan Alam had approached this Court seeking regular bail by filing Cr. Appeal (SJ) No.3093 of 2025 and the same was allowed by an order dated 21.08.2025 passed by a learned Coordinate Bench.

6. The learned Special P. P. as well as the learned counsel appearing on behalf of the informant does not dispute the said submission of the learned counsel appearing on behalf of the appellant but then submits that informant is father of the deceased as such it does not appear probable that he would implicate someone who was not associated with the killing of his son. It is also submitted that trial has commenced and two witnesses have been examined. It is also submitted that when Ibran Alam and Irfan Alam were granted the privilege of regular bail at that time the trial had not commenced.

7. At this stage, the learned counsel appearing on behalf of the appellant submits that appellant surrendered on 15.10.2025.

8. After hearing the learned counsel for the parties and taking into consideration the fact that trial has commenced and witnesses are being examined as such the Court for the present is not inclined to release the appellant on bail.



9. The prayer of the appellant for regular bail stands
rejected.

(Satyavrat Verma, J)

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