

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12136 of 2026**

Arising Out of PS. Case No.-264 Year-2025 Thana- SAHEBPUR KAMAL District-  
Begusarai

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1. Md. Karku @ Karku @ Md. Sahnawaz @ Sahnawaz S/o Illiyas @ Md. Illiyas R/o Village - Faijpur Barbighi, P.S - Sahebpur Kamal, District - Begusarai
  2. Md. Reyaz S/o Illiyas @ Md. Illiyas R/o Village - Faijpur Barbighi, P.S - Sahebpur Kamal, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                          |   |                               |
|--------------------------|---|-------------------------------|
| For the Petitioner/s     | : | Mr. Dhirendra Kumar, Advocate |
| For the Opposite Party/s | : | Mr. Ram Sevak Choudhary, APP  |
| For the Informant        | : | Mr. Mritunjay Kumar, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      30-04-2026                      Heard Mr. Dhirendra Kumar, learned counsel for the petitioners, Mr. Mritunjay Kumar, learned counsel for the informant and Mr. Ram Sevak Choudhary, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail who are in custody since 11.09.2025 in connection with Sahebpur Kamal P.S. Case No. 264 of 2025, F.I.R. dated 05.09.2025 for the offences punishable under Sections 103(1), 238, 3(5) and 61(2) of the BNS, 2023.

3. According to prosecution case, these petitioners along with other accused persons have killed the husband of the informant.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. The allegation as alleged in the F.I.R is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. From perusal of the F.I.R it appears that the date of occurrence is 02.09.2025 but the present F.I.R has been instituted on 05.09.2025 i.e., after delay of three days afterthought only to falsely implicate the petitioners in the present occurrence. It appears from the F.I.R itself that the informant is not the eye witness of the alleged occurrence and even no one has seen the occurrence. Petitioners and other accused persons have been made accused in the present case merely on the basis of suspicion and except the aforesaid, nothing has come during investigation which suggest the involvement of the petitioners in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioners. The petitioners are in custody since 11.09.2025.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioners and submits that number of witnesses including the father of the deceased have stated before



the police that the petitioners and other accused persons are involved in the present crime in question.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge IV Begusarai in connection with Sahebpur Kamal P.S. Case No. 264 of 2025, subject to the following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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