

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13206 of 2026**

Arising out of PS. Case No.-115 Year-2025 Thana- JIRADEI District- Siwan

Gulam Mahammadin @ Md. Ali @ Bachha Babu S/o Mohammad Mustafa  
R/o Village- Repura, Jeradei, Ps- Jeradei, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with  
**CRIMINAL MISCELLANEOUS No. 14341 of 2026**

Arising out of PS. Case No.-115 Year-2025 Thana- JIRADEI District- Siwan

Gulamuddin @ Gulam Mohiddin @ Md. Gulam S/o- Muhammad Mustafa  
Village- Repura jeradei Ps-Jeradei District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**  
(In CRIMINAL MISCELLANEOUS No. 13206 of 2026)  
For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate  
For the Opposite Party/s : Mr. Yogendra Kumar, APP  
(In CRIMINAL MISCELLANEOUS No. 14341 of 2026)  
For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate  
For the Opposite Party/s : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE ANSUL**  
**ORAL ORDER**

5      25-05-2026                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

2. The petitioners seek bail in Jeradei P.S. Case No.  
115 of 2025 registered for an offence under Sections 103(1),  
3(5) of BNS and Section 27 of the Arms Act.

3. The FIR was lodged by the informant with the



allegation that the husband of the informant went outside, thereafter, she received information that unknown criminals had killed her husband near Durgawati Indian Gas Godown at village Rapure.

4. Learned counsel for the petitioners submits that the petitioners are not named in the FIR. The name of the petitioners transpired in the statement of Shailendra Kharwar who was the nephew of the deceased and he was along with him. During investigation, two persons namely Raj Bharti and Rohan Kumar were arrested and they both presented the story that these two petitioners were associates and they were firing and Raj Bharti and Rohan Kumar were sitting on one motorcycle and these two petitioners were sitting on another motorcycle. The deceased was shot by Rohan Kumar and Raj Bharti was driving that motorcycle. The statement of Shailendra Kharwar, the nephew of the deceased who was an eye witness would also not go against such confession rather it supports the mode and manner of occurrence. Raj Bharti who initially confessed and attributed role of Rohan Kumar has been allowed bail *vide* order dated 30.04.2026 passed in Cr. Misc. No. 14029 of 2026. Though the petitioners seem to be involved in the conspiracy and were apparently present at the place of



occurrence but the confession which gains credence from the statement of eye witness shows that the petitioners were not assailants and the role in preparation of criminal conspiracy or the preparation of crime can only be thrashed out at the time of the trial. Moreover, the petitioners are in custody since 19.09.2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners.

6. Considering that the petitioners are not named in the FIR and the name of the petitioners transpired in the statement of Shailendra Kharwar who was the nephew of the deceased and the petitioners are in custody since 24.01.2026, this court is inclined to grant bail to the petitioners.

7. Let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1<sup>st</sup> Class/Concerned Court, Siwan, in connection with Jeradei P.S. Case No. 115 of 2025.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail



application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Ansul, J)

Vikash/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

