

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22266 of 2026

Arising Out of PS. Case No.-254 Year-2025 Thana- BARHARA KOTHI District- Purnia

Md. Sahid @ Md. Shahid son of Md. Sattar Resident of Village- Murballa,
Ps- Barhara Kothi, Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-04-2026 Heard Mr. Binod Kumar Sinha, learned counsel for
the petitioner as well as Mr. Anil Kumar, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
15.01.2026 in connection with Barhara Kothi P.S. Case No. 254
of 2025, F.I.R. dated 07.12.2025 for the offences punishable
under Sections 115(2), 303(2), 351(2), 352, 3(5), 109(2) of the
Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, it is alleged that the
petitioner along with other accused persons assaulted the elder
brother of the informant by means of stick and iron rod and took
Rs.5000/- from his pocket.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case. Although the petitioner is named in the FIR but from bare perusal of the FIR it appears that there is no specific allegation of assault or overt act against him rather there is general and omnibus allegation against all the accused persons including the petitioner and similarly situated co-accused persons, namely, Sattar@ Satto & others have been granted the privilege of anticipatory bail by the co-ordinate Bench of this Court vide order dated 25.03.2026 in Cr. Misc. No.15135 of 2026 and the petitioner is in custody since 15.01.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries one criminal antecedent and petitioner has got benefit of 41(2) Cr.P.C.

6. Considering the aforesaid facts and circumstances, there is no specific allegation of assault or overt act against the petitioner and similarly situated co-accused persons have been granted the privilege of anticipatory bail by the co-ordinate Bench of this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-1st Purnea in connection with Barhara Kothi P.S. Case No. 254 of 2025, subject to the following



conditions:-

i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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