

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24227 of 2026

Arising Out of PS. Case No.-557 Year-2025 Thana- AMARPUR District- Banka

Md. Tahsib @ Lalu Son of Md. Nasim @ Md. Sohrab Resident of Village -
Dauna, P.S.- Amarpur, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-04-2026 Heard Mr. Sanjay Kumar Jha, learned counsel for
the petitioner as well as Mr. Zainul Abedin, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
06.01.2026 in connection with Amarpur P.S. Case No. 557 of
2025, F.I.R. dated 19.08.2025 for the offences punishable under
Sections 103(1), 61(2) and 3(5) of the Bharatiya Nyay Sanhita,
2023.

3. The prosecution case in brief is that on 19.08.2025
at about 01.00A.M, the informant alleged that his son was shot
and murdered near village Hanua. According to the informant,
the petitioner along with other co-accused persons assembled
with deadly weapons as part of a pre-planned conspiracy and
one of the accused fired a gunshot at the chest of his son,



causing him to collapse and lie in pool of blood.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent 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 co-accused, Md. Imran, fired a gunshot at the chest of the informant's son, as a result of which he sustained injuries and subsequently succumbed to them. He further submits that there is no specific allegation of assault or overt act or firing attributed against the petitioner and at best the petitioner is member of the mob. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 06.01.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner is named in the FIR but fairly submits that co-accused, Md. Imran had fired a gunshot at the chest of son of the informant.

6. Considering the aforesaid facts and circumstances, 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 Chief



Judicial Magistrate, Banka in connection with Amarpur P.S.
Case No. 557 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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