

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26594 of 2026**

Arising Out of PS. Case No.-321 Year-2024 Thana- SUGAULI District- East Champaran

Aman Khan Son of Naeem Khan Resident of Village- Nakardei, P.S.- Sugauli,  
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**  
For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate  
Mr. Mayank Raj, Advocate  
Mr. Adarsh Prasar, Advocate  
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP  
For the Informant : Mr. Nitish Kumar, Advocate

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

3      08-07-2026                      Heard Mr. Ramakant Sharma, learned senior  
counsel for the petitioner, Mr. Nitish Kumar, learned counsel for  
the informant as well as Mr. Md. Ataur Rahman, learned  
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since  
03.12.2025 in connection with Sugauli P.S. Case No. 321 of  
2024, F.I.R. dated 19.07.2024 for the offences punishable under  
Sections 126(2), 115, 118(1), 117(2), 109, 303(2), 3(5) of the  
Bharatiya Nyay Sanhita, 2023 and 27 of the Arms At.

3. According to prosecution case, this petitioner along  
with other accused persons with an intention to kill have  
assaulted the husband and other family members of the



informant while they were participating in the religious procession.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. As per allegation in the FIR, the informant along with her family members and villagers have participated in the religious process, then the accused persons including the petitioner with an intention to kill, assaulted the informant's husband and her other family members. He further submits that although there is specific allegation against the petitioner that he had fired and the same hits to the husband of the informant due to which he has received gunshot injury. He further submits that from perusal of the FIR it appears that they have no intention to kill anyone and on a spur of moment, the present occurrence has taken place. He further submits that Co-accused persons namely, Saifullah Khan and others have been granted anticipatory bail vide order dated 08.01.2025 in Cr. Misc. no. 89048 of 2024 by this Court and police after investigation submitted charge sheet against the petitioner. The petitioner is in custody since 03.12.2025.

5. The learned counsel for the informant and learned Additional Public Prosecutor have vehemently opposed the



prayer for bail of the petitioner and submit that it appears from the FIR that there is direct and specific allegation of firing against the petitioner. Apart from that the petitioner carries eight criminal antecedents other than the present one but fairly submits on the basis of the supplementary affidavit filed on behalf of the petitioner that he is on the bail in all the pending matters.

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 Judicial Magistrate-I Class, East Champaran, Motihari in connection with Sugauli P.S. Case No. 321 of 2024, 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)**

Vanisha/-

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

