

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28841 of 2026

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

Md. Umar Raja S/o Md. Guljar R/o Village - Dauna, P.S. - Amarpur, District.
- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Amarpur P.S. Case No. 557 of 2025 for the offences punishable under Sections 103(1), 61(2), 3(5) of BNS and Section 27 of Arms Act.

3. The case of the prosecution in brief is that on 19.08.2025 at about 1:00 AM, the informant Md. Abbas, resident of Village Dauna, P.S. Sabour, District Bhagalpur, his son Md. Sarique was returning home after work. Near the road side he parked his car and sleeping. In the driver sit his driver Miraj was seated, meanwhile 13 named accused person came and specific allegation against Md. Imran who sought dead to Md. Sariq. It is further alleged that on the sound of firing the father of the deceased came outside and victim Md. Sariq brought to the Hospital for treatment, but his condition was critical. It is further alleged that in serious condition his son has



disclosed that 13 named person including this petitioner armed with various weapons and assaulted the deceased.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. It is next submitted that from perusal of the FIR it appears that although the petitioner is named in the FIR but there is no specific allegation of assault or firing is attributed against the petitioner rather the allegation of firing is attributed against one co-accused person, namely, Md. Imran and at best the petitioner may be a member of the mob. It is next submitted that nothing has come during the course of investigation which suggests that petitioner was involved in the present crime in question.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner was not named in the FIR and petitioner has antecedent of one case other than the present case but fairly submits that petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances and the fact that there is no specific allegation against the petitioner rather the specific allegation of firing is attributed against the co-accused person, namely, Md. Imran, let the petitioner, above named, in the event of arrest or surrender



before the court below within a period of thirty days from the date of receipt of the order, 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 C.J.M., Banka in connection with Amarpur P.S. Case No. 557 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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)

Gaurav Sinha/-

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