

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33586 of 2026

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

Md. Sahin S/o Md. Taiyab @ Seikh Tayyab R/o Village - Khariyara @
Kharihara, P.S - Barahat, 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. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-05-2026 Heard Mr. Sanjay Kumar Jha, learned counsel for the

petitioner and Mr. Rajendra Nath Jha, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
01.12.2025 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(02) and 3(5) of the BNS, 2023 and Section
27 of the Arms Act.

3. According to prosecution case, all the accused
persons including this petitioner under a conspiracy killed
informant's son where the specific allegation of firing is against
Md. Imran one of the co-accused.

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



present case. It appears from the FIR that although the petitioner is named in the FIR but the specific allegation of assault and firing is against the co-accused, namely, Md. Imran and there is no specific allegation of firing against this petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Md. Tahsib @ Lalu against whom there has been similar allegation has been granted bail by this Court vide order dated 15.04.2026 passed in Cr. Misc. No. 24227 of 2026. The petitioner is in custody since 01.12.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries five criminal antecedents other than the present one but fairly submits that he is on bail in four cases and one case is pending for consideration before the competent court of law.

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 CJM, 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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