

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36608 of 2026

Arising Out of PS. Case No.-51 Year-2026 Thana- SIKANDRA District- Jamui

Shamin Khan @ Md .Samim Khan @ Samimuddin Khan S/o Mateen Khan
@ Matin Khan Resident of Village - Zakra @ Jakhara, P.S.- Sikandra, District
- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate
For the Informant	:	Mr. Bhim Sen Prasad, Advocate
For the State	:	Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-06-2026 Heard Mr. Rakesh Kumar Sharma, learned counsel for
the petitioner, Mr. Bhim Sen Prasad, learned counsel for the
Informant and Mr. Anuj Kumar Shrivastava, learned APP for the
State.

2. Petitioner seeks bail, who is in custody since
04.03.2026, in connection with Sikandra P.S. Case No. 51 of 2026,
F.I.R. dated 01.03.2026 registered for the offences punishable
under Sections 118(2), 109(1), 3(5) of the B.N.S. and Section 27
of the Arms Act.

3. There is allegation against the petitioner and others
for causing gun shot injury to the informant and his family
members.

4. Learned Senior counsel for the petitioner submits that



the petitioner is innocent and he has been falsely implicated in the present case. He further submits that although the petitioner is named in the F.I.R. but from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act or firing attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that during investigation it has come that the petitioner is only the order given and he has no role at all in the present occurrence and petitioner is suffering from several diseases as is evident from Annexure-4 series. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 04.03.2026.

5. Learned counsel for the Informant as well as learned Additional Public Prosecutor for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has fired upon the victim and he has received the bullet injury and nature of injury is grievous in nature.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Jamui in connection with Sikandra P.S. Case No. 51 of 2026, subject to the following conditions :-



(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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