

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42809 of 2025

Arising Out of PS. Case No.-155 Year-2022 Thana- NATIONAL HIGHWAY District-
Samastipur

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Md. Arman S/o- Md. Equbal Village- Kasbe Aahar, P.S. Tajpur, District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Noushad Khan, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 13-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 394 of the Indian Penal
Code and Section 27 of the Arms Act.

3. As per the prosecution case, on 5.12.2022, at
3:30 p.m., three unknown persons on a white motorcycle
intercepted the informant near Jivan Saharsa Hospital. The
assailants assaulted him, shot him in the leg with a *katta*, and
fled with his motorcycle. The informant was subsequently
hospitalized in Patna due to his injuries.

4. Learned counsel for the petitioner submits that
the petitioner is not named in the First Information Report and



his name transpired on the basis of confessional statement of co-accused Sudhanshu Kumar @ Vikki @ Rakesh, which has no evidentiary value in the eye of law. No incriminating article has been recovered from the possession of the petitioner. It is further submitted that the petitioner is a student and similarly situated co-accused, Md. Shyed Danish has already been granted the privilege of regular bail by a Bench of this Court vide order dated 20.08.2024 passed in Cr. Misc. No.49304 of 2024. The petitioner is in custody since 06.02.2024 and the trial has began but only two witnesses have been examined and there is no likelihood of the conclusion of trial in near future.

5. Learned APP for the State opposed the grant of bail submitting that the petitioner has criminal antecedents.

6. Taking into consideration the facts and circumstances and considering the fact that the petitioner has remained for substantial time in custody and similarly situated co-accused has already been granted the privilege of regular bail by a Bench of this Court, let the above named petitioner, 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 the learned Additional District and Sessions Judge-III, Samastipur/concerned Court below in



connection with N.H. Bangra P.S. Case No. 155 of 2022
subject to condition that:-

(i) One of the bailors will be his own blood
relative, preferably, father, mother, brother, sister and/or his
wife.

(ii) The petitioner shall remain physically present
in court on each and every date during trial and in the event of
failure on two consecutive dates without sufficient reasons, his
bail bonds shall be liable to be cancelled by the learned court
concerned.

(Soni Shrivastava, J)

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