

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39925 of 2026

Arising Out of PS. Case No.-390 Year-2023 Thana- RANIGANJ District- Araria

Md. Nijam @ Md. Nijam Sah @ Nijam Sah @ Nijam son of Idrish Resident
of village- Madhura Uttar, Ward no. 13, Ps- Narpatganj, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-06-2026 Heard Mr. Gopal Kumar Jha, learned counsel for the

petitioner and Mr. Syed Mojibur Rahman, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
13.03.2026, in connection with Raniganj P.S. Case No. 390 of
2023, F.I.R. dated 05.10.2023 registered for the offences
punishable under Sections 307 of the Indian Penal Code and
Section $\frac{3}{4}$ of the Explosive Substance Act.

3. As per the prosecution case, the informant's son
along with other children of village had gone to bank of canal to
bring firewood then they saw something in an old plastic bag
near babul tree, in course of collecting firewood, there was
explosion in bag and five children including the informant's son
sustained injuries. Thereafter, the injured was taken to the



Hospital for treatment. It is further alleged that dacoity was held in the house of one Rinku Nayak 15 to 16 days ago and articles of Rinku Nayak were also found near place of occurrence. It is alleged that the miscreants threw the bomb in bush near canal in course of fleeing away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of disclosure made by apprehended co-accused person, namely, Manoj Sah. He further submits that similarly situated co-accused person, namely, Suman Kumar Paswan has been granted bail by a Coordinate Bench of this Court vide order dated 20.07.2024 passed in Cr. Misc. No. 42007 of 2024 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 13.03.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the name of the petitioner has been transpired on the basis of disclosure made by apprehended co-accused person and apart from aforesaid the petitioner carries one more case other than the present one but fairly submits on



the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case and the fact that the petitioner is not named in the F.I.R. as well as similarly situated co-accused person has been granted bail by a Coordinate Bench of this Court, 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 A.C.J.M. Ist, Araria in connection with Raniganj P.S. Case No. 390 of 2023, 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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