

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48960 of 2026**

Arising Out of PS. Case No.-594 Year-2020 Thana- AMARPUR District- Banka

Kamsu Miyan @ Md. Jahid Hassan S/o Late Badrul Hassan, R/o Vill.-  
Kasba,P.S- Shambhuganj, Dist- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                    |   |                                    |
|--------------------|---|------------------------------------|
| For the Petitioner | : | Mr. Prahlad Kumar Bhagat, Advocate |
| For the State      | : | Mr. Md. Ataur Rahman, APP          |

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      22-07-2026                      Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Amarpur P.S. Case No. 594 of 2020 dated 27.09.2020, registered for the offences punishable under Sections 341, 323, 504 and 506 read with Section 34 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, the petitioner and other co-accused persons came to the doors of the informant and threatening him with country made pistol demanded Rs. 1,00,000/-. The villagers intervened and caught hold of the co-accused Sudu Yadav with a country made pistol and three live cartridges and handed him over to the Police.

4. Learned counsel appearing on behalf of the



petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from his person or possession. The recovery has been made from Sudu Yadav and he has been granted bail by learned subordinte Court. The petitioner was not even present at the place of occurrence. Learned counsel further submits that the prayer for bail of the petitioner was rejected by the learned Sessions Judge, Banka on the ground of his concealment of his criminal antecedent. Learned counsel next submits that petitioner is having antecedent of eleven cases and out of eleven cases, he is acquitted in nine cases and he is on bail in remaining two cases. Learned counsel lastly submits that petitioner is in custody since 29.03.2026 and chargesheet has been submitted.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner who was not even apprehended from the spot and further considering his period of custody and submission of chargesheet against him, the petitioner, above-named, is directed to be released on



bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka / concerned Court, in connection with **Amarpur P.S. Case No. 594 of 2020**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

*(i) One of the bailors will be a close relative of the petitioner.*

*(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.*

*(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.*

**(Arun Kumar Jha, J)**

Shahnawaz/-

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