

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42446 of 2026

Arising Out of PS. Case No.-14 Year-2025 Thana- Shahpur P.S. District- Nawada

Shashi Raj S/O Sunil Kumar Resident of Village- Mogalchak, P.S- Belchhi,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 45838 of 2026

Arising Out of PS. Case No.-14 Year-2025 Thana- Shahpur P.S. District- Nawada

Niraj Kumar S/o Late Kishori Prasad Singh R/o Village- Karnauti, P.S-
Bakhtiyarpur, Dist- Patna, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 42446 of 2026)
For the Petitioner/s : Mr. Surya Prakash, Advocate
For the State : Mr. Satyendra Prasad, Advocate
(In CRIMINAL MISCELLANEOUS No. 45838 of 2026)
For the Petitioner/s : Mr. Deepak Kumar, Advocate
For the State : Mrs. Madhuri Lata, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-07-2026 Heard Mr. Suraj Narain Yadav, learned counsel

for the petitioner in Cr. Misc. No.42446 of 2026 and Mr.

Deepak Kumar, learned counsel for the petitioner in Cr. Misc.

No. 45838 of 2026 as also learned APP representing the State.

2. The petitioners are in custody in connection with

Shahpur P.S. Case No. 14 of 2025 for the offence punishable



under sections 109, 309(4), 324(4) and 3(5) of the Bharatiya Nyaya Sanhita and section 27 of the Arms Act, lodged on 27.01.2025 by the informant, Sarwar Ali.

3. As per the prosecution story, the allegation is that informant was given Rs. 19 lakh from his brother, Imran Ali for purchase of cattle. He was moving on a Bolero alongwith others towards the cattle market near Shahpur and as they reached the 'Hat', the bag containing the money was kept in the vehicle and was locked. Later, they heard the sound of firing and came to know that the accused by firing indiscriminating broke the window glass of the vehicle and the bag was taken away. In the process, the driver was also shot at by them. The cattle owner called the Police and took the driver to the Primary Health Centre for treatment. This followed the FIR.

4. Learned counsel for the petitioners jointly submit that they have already suffered by being in custody since 02.02.2025, if granted relief, they shall be diligently appearing in trial failing which the State shall be taking steps for cancellation of bail bond.

5. Learned APP opposes the prayer for bail submitting that their role has come in the matter.

6. Taking into account the submissions of the parties



as also that they have remained in custody since 02.02.2025 and an undertaking has been given that they shall be diligently appearing in trial, in that background, this Court is inclined to extend them the privilege of bail with conditions.

7. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-IX, Nawada, in connection with Shahpur P.S. Case No. 14 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for six months to mark their attendance and at the end of the period a report be submitted before the Trial Court;



(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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