

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67306 of 2025

Arising Out of PS. Case No.-89 Year-2025 Thana- Mehsoul District- Sitamarhi

Md. Islam S/o Late Usman Miya R/o village - Dhankaul, P.S - Piprahi,
District - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Sr. Adv Mr. N.K. Agrawal, Sr. Adv Mr. Devendra Kumar, Adv Mr. Pusupendra Kumar Singh, Adv
For the Opposite Party/s	:	Mr. Humayou Ahmad Khan, APP Mr. Ashar Mustafa, Adv Mr. Vikash Kumar Jha, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-01-2026 1. Heard learned senior counsel for the petitioner,

learned APP and learned counsel appearing on behalf of the

informant.

2. The petitioner seeks bail in a case registered for the

offences punishable under Sections 126, 115(2), 103(1), 61(2)

and 3(5) of the Bharatiya Nyaya Sanhita and Section 25(1-b)a,

26, 27 and 35 of Arms Act.

3. Learned senior counsel for the petitioner submits

that petitioner has antecedent of two cases and the informant

alleges that his elder son, Basim Anwar Khan @ Puttu had

come to his house and was looking perturbed, accordingly the

informant asked his son why he is looking perturbed, on which



he disclosed that Asgar Hussain, Md. Nasir Ahmad, Devendra Shah, Dhananjay Kumar, Azizur Rahman and Vimlesh Kumar Jha had met in the shop of Ejaj Shah for the purposes of getting him killed and have also given money to the shooters and the shooters can kill him any time. It is further alleged that his son also disclosed that he had recorded the aforesaid fact in his mobile, further his son also disclosed that Lal's brother Md. Islam is also involved in the conspiracy and the aforesaid accused persons can get him killed any time, on which informant asked his son that why he did not disclose the said fact to the police, on which his son said that in the morning he will accompany the informant to the police station for giving information to the police about the conspiracy. It is next alleged that thereafter his son left for his house and when he reached near his house the informant heard sound of firing, accordingly he came out and saw that his son was shot and his family members Sahin Anwar Khan and Sahil Parwez disclosed that they have seen the three shooters who committed the occurrence, but they did not know their name but can identify by their face.

4. Learned senior counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by



the informant. It is next submitted that during the course of investigation, no material transpired even remotely connecting the petitioner with the offence. It is also submitted that Dhananjay Kumar had approached this Court seeking anticipatory bail by filing Cr. Misc No. 65688 of 2025 and the same came to be allowed by an order dated 16-1-2026 after considering the case in detail and on merit. It is next submitted that against Dhananjay Kumar, some material had transpired but then as far as the instant petitioner is concerned, no material transpired connecting him with the offence. It is further submitted that petitioner is in custody since 15-7-2025 and charge-sheet has been submitted. It is also submitted that petitioner will not abscond rather will co-operate in the trial to prove his innocence.

5. Learned APP and the learned counsel appearing on behalf of the informant opposes the anticipatory bail application, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that during the course of investigation no material transpired connecting the petitioner with the offence.

6. After hearing the learned counsel for the parties, let the petitioner above named be released on bail on furnishing



bail bond of Rs. 25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mehsaul P.S. Case No. 89 of 2025.

7. However, it is made clear that if the learned trial court comes to a conclusion that the petitioner after his release is trying to delay the framing of charge or after framing of charge is trying to delay the trial in any manner, in both the conditions, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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