

TIN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68341 of 2025

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

Ejaj Shah @ Ejaj Ahamad S/O Late Md. Kadir Shah Resident of village-
Tilhangi, P.S.- Bhuthi, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Raj, Adv
For the Opposite Party/s : Mr.Binod Kumar, APP
Mr. Ashhar Mustafa, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 7 16-01-2026 **1.** Heard learned counsel for the petitioner, learned APP and learned counsel appearing on behalf of the informant, Mr. Ashhar Mustafa.
- 2.** The petitioner apprehends his arrest 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 counsel for the petitioner submits that petitioner has antecedent of five cases out of which two cases are under the Excise Act 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 counsel for the petitioner submits that petitioner has been falsely implicated in the instant case with an allegation that the planning to commit the occurrence was made at his shop but then during the course of investigation no material transpired even remotely connecting the petitioner with the offence or that at his shop any meeting of the accused persons was conducted for getting the occurrence committed. 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 details and on merit. It is next submitted that against Dhananjay, some material had transpired during the course of investigation but as far as the instant petitioner is concerned it is reiterated and submitted that no material transpired during the course of investigation even remotely connecting the petitioner with the offence. It is also submitted that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

5. Learned APP and the learned counsel appearing on behalf of the informant opposes the anticipatory bail application.

6. After hearing the learned counsel for the parties, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 50,000/- (Rupees Fifty 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, subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. One of the bailors of the petitioner shall be his brother, Merajuddin Shah.

8. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the



learned trial court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

9. It is further made clear that in the event if charge-sheet is submitted and the learned trial court comes to a conclusion that petitioner is not cooperating in 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.

10. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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