

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76857 of 2025

Arising Out of PS. Case No.-163 Year-2023 Thana- MAHESHKHUNT District- Khagaria

Md. Shamim @ Md. Shamin @ Md. Samin S/o Late Suddiayan R/o Village -
Lattipakar, P.S - Gopalpur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 04-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Maheshkhunt P.S. Case No. 163 of 2023 instituted for the offences under Sections 394, 307, 120B of the Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution case, in short, is that on 11.08.2023, while the informant was carrying about ₹2 lakhs to his CSP centre, he was allegedly stopped by two armed persons, identified one as Vijay Singh, who threw chilli powder, fired at him causing gunshot injuries, and robbed the cash.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case.



Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of confessional statement of the co-accused Vijay Singh which has no evidentiary value in the eye of law. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions. Learned counsel further submitted that T.I.P. has not been conducted till date to ascertain the involvement of the petitioner in the alleged offence. It has been submitted on behalf of the petitioner that the petitioner is in custody since 01.02.2025 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Maheshkhunt P.S. Case No. 163 of 2023, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or a



close family member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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