IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80061 of 2026

CNR No. BRHC011118302026

Arising Out of PS. Case No.-73 Year-2026 Thana- Mahadeva P.S. District- Siwan

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Sabir @ Sabir Hussain @ Sabir Miyan S/O Ali Hussain Resident of Village- Orma Naya Tola, P.S.- Siwan Muffasil, District- Siwan.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Arbind Kumar Singh, Advocate
For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 06-11-2026 1. Heard learned Senior Counsel Shri Pushkar Narain Shahi counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 126(2), 115(2), 303(2), 191(2), 191(3), 190, 308(5), 329(3), 329(4), 352, 351(2), 308(4), 119(1), 137(2) of the Bharatiya Nyaya Sanhita.

3. Learned Senior Counsel for the petitioner submits that the petitioner had earlier moved this Court seeking regular bail by filing Criminal Misc. No. 46479 of 2026 and the same came to be rejected by an order dated 14.08.2026.

4. At this stage, learned APP for the State submits that recently the regular bail application of the petitioner was rejected as would manifest from Annexure- P/1 i.e. by an order

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dated 14.08.2026 in Criminal Misc. No. 46479 of 2026 and the petitioner in less than three months again approached the Court seeking regular bail, on which learned Senior Counsel appearing on behalf of the petitioner submits that while rejecting the regular bail application of the petitioner, the Court at Para-5 had recorded- after hearing learned counsel for the parties and taking into consideration, the submissions made by the learned APP for the State and also considering the fact that petitioner has antecedent of 14 cases, the Court for the present is not inclined to release the petitioner on bail. It is submitted that thereafter the petitioner in order to establish his bona fide got charges framed by an order dated 24.08.2026.

5. Learned APP for the State submits that though a pleading to that effect has been made at Para-12 of the regular bail application, but then the order framing charge has not been annexed.

6. After hearing learned counsel for the parties and taking into consideration, the submissions made learned Senior Counsel appearing on behalf of the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where

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the case is pending/successor court in connection with Mahadeva P.S. Case No. 73 of 2026.

7. One of the bailors of the petitioner shall be his father Ali Hussain.

8. 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 trial in any manner, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner after recording reason.

9. It is further made clear that learned Trial Court before releasing the petitioner on bail shall verify whether charges against the petitioner has been framed or not, if it is found that charges against the petitioner has not been framed, in that event, the present order shall not be given effect to, but if the charges against the petitioner stands framed, in that event, the petitioner shall be released forthwith.

(Satyavrat Verma, J)

Nitesh/-

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