

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78047 of 2025

Arising Out of PS. Case No.-281 Year-2024 Thana- BELDOUR District- Khagaria

Md. Sahbaj Alam @ Sahbaj Alam @ Md. Shahbaj Alam @ Md. Shahbaj @
Shahbaj Md. Rasul @ Sabul Ali R/O Village- Chodhali, P.S- Beldaur, Dist-
Khagaria, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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

ORAL ORDER

3 06-02-2026 Heard learned counsel for the petitioner, learned APP for
the State and perused the case diary.

2. The petitioner seeks bail in connection with Beldaur
P.S. Case No. 281 of 2024, instituted for the offences punishable
under Sections 103(1) and 309(6) of the Bharatiya Nyaya
Sanhita, 2023.

3. The prosecution case, in short, is that, son of the
informant was attacked by some unknown miscreants. He was
shot in the chest, robbed of his phone and money, and left
critically injured on the road. Despite being taken to the
hospital, he died on the way.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. No specific allegation of firing and looting articles have been made against the petitioner, rather the same is general and omnibus in nature. Specific allegation of firing and looting articles is made against co-accused Md. Intekhar by the petitioner in his self-confession. The petitioner is in custody since 16.06.2025 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that the petitioner has admitted his guilt in his self-confession. It is further submitted that on perusal of paragraph nos. 3, 9 and 12 of case diary, it appears that witnesses have supported the prosecution case. Specific allegation is levelled against the petitioner. Hence, the petitioner does not deserve the privilege of bail. Bail of other co-accused has been rejected by this Court vide order dated 08.04.2025, passed in Cr. Misc. No. 1308 of



2025.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner at this stage.

7. The prayer is *rejected*. The trial Court is directed to expedite the Trial expeditiously.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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