

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 83892 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- MANIHARI District- Katihar

Naim @ Md. Naim @ Md. Naime Son of Md. Shakur @ Shakko Sabji Faros
Resident of Village- Balu tola, Nawabganj, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Naraian, Senior Advocate

Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 25-02-2026 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with Sessions Trial No. 534 of 2025 arising out of Manihari P.S. Case No. 02 of 2025, lodged on 04.01.2025, under Sections 115(2), 126(2), 109, 352, 351(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Section 27 of the Arms Act.

3. Learned senior counsel for the petitioner submits that the bail application of the petitioner was earlier rejected vide order dated 02.06.2025 passed in Cr. Misc. No. 34288 of 2025. He further submits that other accused persons, against whom specific allegations have been made, have been granted bail by the Sessions Court itself, a copy of which has been



annexed as Annexure-3 series.

4. Learned APP for the State opposes the prayer for bail and submits that a report regarding the present stage of trial was called for.

5. It transpires to this Court that the bail applications of Kumod Kumar Yadav @ Jagga Yadav and Md. Umar Faruque @ Md. Sheru were granted vide order dated 22.07.2025 by the Court of District & Addl. Sessions Judge-III, Katihar, in Bail Petition No. 581 of 2025 and Bail Petition No. 582 of 2025, on the condition that they shall be enlarged on bail after framing of charge. However, from the report dated 24.01.2026, it transpires that charge has been framed against the present accused only on 30.08.2025, implying that either no charge has been framed against the two other accused persons, or if framed, it has been done separately.

6. In response thereto, counsel on record specifically submits that all three accused persons, namely, Kumod Kumar Yadav @ Jagga Yadav, Md. Umar Faruque @ Md. Sheru, and Naim @ Md. Naim @ Md. Naime (petitioner), are facing trial simultaneously.

7. Nevertheless, from the report, it does not so transpire to this Court.



8. Subject to the above, in any view of the matter, if the trial of all the accused persons mentioned above is going on simultaneously, only in that case the petitioner shall be directed to be released on bail, on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023, to the satisfaction of the District & Additional Sessions Judge-1-cum-Special Judge, Katihar, in connection with Sessions Trial No. 534 of 2025 arising out of Manihari P.S. Case No. 02 of 2025, subject to the following conditions as laid down under Section 480(3) of the BNSS.

(Dr. Anshuman, J.)

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