

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91190 of 2025

Arising Out of PS. Case No.-606 Year-2025 Thana- AURANGABAD TOWN District-
Aurangabad

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Md. Ejaj S/O Imteyaj Ahmad @ Nassy R/O Vill.- Jarmakhap, P.S.-
Aurangabad, Dist.- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-01-2026 Heard the learned Advocate for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Aurangabad Town P.S. Case No. 606 of 2025, registered
for the offences punishable under Sections 109(1), 303(2) and
3(5) of the BNS and Section 27 of the Arms Act.

3. In the evening of the fateful day, while the
petitioner was returning to his house on his motorcycle, in the
meanwhile, he was intercepted by some of the miscreants, out of
whom it is alleged that co-accused *Pammi* has fired upon him,
due to which he sustained bullet injury in his hand. It is further
alleged that co-accused *Shahrukh* thereupon snatched Rs.
50,000/-, which was kept in his pocket. The petitioner along



with other miscreants are said to be conspirator of the crime.

4. Learned Advocate for the petitioner taking this Court through the FIR contended that the specific accusation has been levelled against co-accused *Pammi* and *Shahrukh*. So far the petitioner is concerned, save and except he is alleged to be one of the conspirator with other accused persons in the crime, there is no allegation. During the course of investigation, no cogent material has collected, which strengthened the prosecution case with regard to role of the petitioner being a conspirator. The false implication of the petitioner is said to be a previous enmity. The petitioner bears one criminal antecedent, as has been disclosed in paragraph no. 3 of the bail application, however, he undertakes that he will full co-operate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the name of the petitioner has been specifically disclosed by the informant as one of the conspirator in the crime, besides he bears one criminal antecedent.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of accusation, coupled with the fact that save and except the suspicion with



regard to involvement of the petitioner as a conspirator in the crime, there is no material, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Town P.S. Case No. 606 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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