

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87010 of 2025

Arising Out of PS. Case No.-313 Year-2021 Thana- MASHRAK District- Saran

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Aasif Ali @ Saddam Hussain @ Sadam Son of Mahamad Samsad Ali R/o
Village - Karn Kudariya, P.S.- Mashrakh, District - Chapra, Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Gajendra Kumar Singh, Advocate
For the State	:	Mr. Shailendra Kumar, APP
For the Informant	:	Mr. Hemant Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-01-2026 Heard Mr. Gajendra Kumar Singh, learned counsel
for the petitioner, Mr. Shailendra Kumar, learned Additional
Public Prosecutor for the State as well as Mr. Hemant Kumar,
learned counsel for the Informant.

2. Petitioner seeks bail who is in custody since
10.10.2025 in B.P. No. 1978 of 2025 arising out of Mashrakh
P.S. Case No. 313 of 2021, F.I.R. dated 13.06.2021 for the
offences punishable under Sections 323, 324, 307 & 379 of
Indian Penal Code.

3. According to prosecution case, the informant
alleged that the petitioner along with other accused persons
came to the shop of the informant's son and assaulted him with
intention to kill him and thinking that he is dead, they fled away



from there.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation levelled against the petitioner is false and fabricated. Although the petitioner is named in the FIR but from bare perusal of the FIR it appears that there is no specific allegation of assault or overt act against him and the injury inflicted upon the injured person is simple in nature. He further submits that the police after investigation submitted the charge sheet and the petitioner is in custody since 10.10.2025.

5. The learned Additional Public Prosecutor as well as learned counsel for the Informant have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner participated in the present crime in question.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-
7, Chapra in connection with Mashrakh P.S. Case No. 313 of 2021, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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