

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1126 of 2026

Arising Out of PS. Case No.-155 Year-2025 Thana- PURAINI District- Madhepura

Md Sahbaj @ Md. Shahbaj Son of Md. Afjal R/o - Auray, P.S. - Puraini,
District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-02-2026 Heard Dr. Sanjay Kumar Singh, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Puraini P.S. Case No. 155 of 2025 for the offence under sections 310(4) and 310(5) of the BNS and Sections 25(1-B)a, 26 and 35 of the Arms Act lodged on 09.08.2025 by the informant, Kundan Paswan.

3. As per the prosecution story, the informant alleged that he departed on a morning patrolling when received information about some miscreants making plan to commit crime. Accordingly, the place was raided and three accused persons apprehended namely Md. Fahim, Mr. Aftab and Md. Sonu. They confessed to making plan to commit a crime and upon search, country-made revolver and mobile recovered beside a motorcycle. They gave the names of the persons who escaped, the petitioner being one of them. This led to the FIR.

4. Learned counsel for the petitioner submits that he has no criminal antecedent and only because the arrested persons due



to enmity named him, got implicated. The further submission is that one other similar situate person (Md. Mokim) has been granted relief by a Coordinate Bench in Cr. Misc. No. 82816 of 2025.

5. Let the same be kept on record.

6. Learned APP, Mr. Bharat Bhushan opposes the prayer submitting that the arrested persons have named him.

7. Taking into account the submissions of the parties as also that the recovery/seizure is from the named accused, they have given the name of this petitioner and one similarly situated person has been granted relief by the Coordinate Bench, as stated above, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM-1, Udakishunganj, Madhepura in connection with Puraini P.S. Case No. 155 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhaar Card/Voter ID Card/Pan Card/Driving



License) to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for six months to mark his attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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