

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.87771 of 2025**

Arising Out of PS. Case No.-87 Year-2025 Thana- NALANDA District- Nalanda

Md. Najish @ Ajju S/O Late Jahid Hussain @ Md. Jahid Hussain R/O Vill. -  
Khankah, Nabab Toli Kohna Sarai, P.S - Laheri, P.S- Laheri, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                               |
|----------------------|---|-------------------------------|
| For the Petitioner/s | : | Mr. Rudal Singh, Advocate     |
| For the State        | : | Mr. Jai Narain Thakur, APP    |
| For the Informant    | : | Ms. Vaishnavi Singh, Advocate |
|                      |   | Mr. Ritwik Thakur, Advocate   |
|                      |   | Mr. Pranshu, Advocate         |
|                      |   | Mr. Midit Meet, Advocate      |

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      20-02-2026                      Heard learned counsel for the petitioner, learned APP  
for the State and learned counsel for the informant.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no. 979 of 2025 arising out of Nalanda P.S. Case no. 87 of 2025 registered under sections 103(2), 61(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and section 27 of the Arms Act, 1959.

3. As per the prosecution case, the informant states that as a result of indiscriminate firing resorted to by four unknown accused persons on two motorcycles, her husband was seriously injured and died in course of treatment. As such the FIR.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the case because of enmity and village politics between the parties. The only material against the petitioner is the confessional statement of a co-accused made before police. No incriminating article has been recovered from the petitioner's possession nor has he been identified in the T.I. Parade. The petitioner who is in custody since 1.7.2025 has no criminal antecedent. Chargesheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that substantial material has transpired against the petitioner who as a result of previous enmity had hired the shooters to give effect to the occurrence. In the raids conducted, four accused persons including the shooters were arrested from the house of the sister of the petitioner. Learned counsel further submits that once the petitioner is enlarged on bail, he will not permit the trial to proceed. As such the application for bail be rejected.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation, there being no allegation of direct overt act against the petitioner, grant of bail to co-accused Md. Danish vide order dated 12.2.2026 passed in



Cr. Misc. no. 87678 of 2025 and Samir vide order dated 15.1.2026 passed in Cr. Misc. no. 80861 of 2025 together with the petitioner having remained in custody for seven months since 1.7.2025 and not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no. 979 of 2025 arising out of Nalanda P.S. Case no. 87 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-XII, Nalanda at Biharsharif on the following conditions:

(i) The petitioner shall remain physically present in Court on each date of the trial and shall cooperate in the trial.

(ii) In case the petitioner is absent on any single date for reasons not to the satisfaction of the learned trial Court or the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

**(Partha Sarthy, J)**

saurovkrishna/-

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