

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-III, NAWADA

Present: Upendra Kumar, Incharge ASJ-III, Nawada

BAIL PETITION NO. 362/2026

51/26

Arising out of Roh P.S. Case No. 296/2025

Md. Khalid Hussain @ Raju Shah

.....Petitioner

vs.

State of Bihar

.....Opposite Party

30.03.2026	Order	Remark
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	<p>1. In compliance of Hon'ble High Court's order the P.O. has gone to Bihar Judicial Academy, Patna.</p> <p>2. This bail petition is filed by the accused Md. Khalid Hussain @ Raju Shah who is in custody since 11.02.2026 for committing an offence U/s 115(2), 126(2), 118(1), 117(2), 110, 303(2), 352, 351(3), 3(5) of the B.N.S., 2023 arising out of Roh P.S. Case No. 296/2025.</p> <p>3. The prosecution case, in brief, is that on 04.09.2025 at about 08:00 a.m. the informant was present in her house the accused persons who were four in numbers had entered in her house and started assaulting her with iron rod and lathi with intention to kill her. Accused Khalid Hussain had hit with iron rod on her leg causing fracture in right leg and left leg was injured, other accused have assaulted lathi causing head injury. Accused Yasir Shah has snatched gold chain from her neck and issued threat for life if any case were filed.</p> <p>4. According to para 2 of the bail petition, petitioner has filed A.B.P. No. 2650 of 2025 which was rejected by this Court and thereafter he approached Hon'ble High Court in Cr. Misc. No. 82231/2025 which was also rejected, and except that no any other application for anticipatory bail or regular bail either before this Hon'ble Court or before the Hon'ble High Court.</p> <p>5. As per para 3 of the bail petition, the petitioner bears two criminal antecedent i.e. (1) Roh P.S. Case No. 293/25 and (2) Roh P.S. Case No. 297 of 2025 in which he is on bail.</p> <p>6. Learned Counsel appearing for the petitioner submits that the petitioner is innocent and no case as alleged by the prosecution is made out against him. All the allegations are general and omnibus in nature. The petitioner was never involved in such kind of offence, he is in custody since 11.02.2026. Present case is counter blast case of Roh P.S. Case No. 298/25. Co-accused persons have already been granted</p>	
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	<p>benefit of anticipatory vide A.B.P. No. 2650/2025 and A.B.P. No. 92/2026 and the case of the petitioner is on similar footing. Further there is no chance of his absconding as he undertakes to present himself before the police and Court as and when directed to appear. The petitioner further undertakes not to temper with the evidence or witnesses in any manner and will not leave the country without the prior permission of the Court. Hence he be enlarged on bail.</p> <p>7. Learned A.P.P. appearing for the State has vehemently opposed the prayer of bail.</p> <p>8. Heard both the sides and perused the record.</p> <p>9. On perusal of record it appears that as per the medical report, no injury was found on the head region of the injured, and during the CT scan, mild age-related cerebral atrophy with chronic small vessel ischemic disease was detected. However, it is reported under paragraph 49 of the case diary that the injured subsequently died, and under paragraph 52 it has further been reported that the family members of the informant refused to get the post-mortem examination of her body conducted at the hospital. It is prima facie not clear that the informant succumbed to the injuries allegedly caused by the petitioner. The cause of death of the injured has also not been mentioned in the case diary, nor has any prayer been made by the Investigating Officer for addition of any offence relating to murder, as is apparent from the materials available on record. Co-accused persons have granted benefit of anticipatory bail vide A.B.P. No. 2650 of 2025 and 92 of 2026 and the case of the petitioner is on similar footing.</p> <p>10. Considering the aforesaid facts and circumstances of the case, prayer of bail of the petitioner Md. Khalid Hussain @ Raju Shah is allowed subject to filing of bail bond to the tune of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the Court</p>	
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concerned. Let the petitioner be released on bail regarding Roh P.S. Case No. 296 of 2025. The petitioner shall comply all the conditions of Section 480(2) of the B.N.S.S.

11. The bail petition of the petitioner dated 11.03.2026 is accordingly allowed.

(Dictated and corrected)

Upendra Kumar

(Upendra Kumar)

I/C Addl. Sessions Judge-III, Nawada