

IN THE COURT OF SESSIONS JUDGE, AURANGABAD (BIHAR)

B.P. No. 487/2026

Arising out of Aurangabad (Town) P.S. Case No. 90/2026

Present:- Rajeev Ranjan Kumar, Sessions Judge, Aurangabad (Bihar)

Md. Sakib @ Saido, S/o Jahur Ali, age-25 years, R/o Mohalla- Nawadih, P.S.- Town,
District- Aurangabad (Bihar).

... .. Petitioner(s)

Versus

The State of Bihar

... ..Opposite Party(s)

Appearance :

For the Petitioner(s)	:	Mrs. Madhuri Kumari, Adv.
For the Informant	:	Sri Kumar Jai Prakash Singh, Adv.
For the State	:	Sri Devendra Kumar Sharma, I/c P.P.

13.05.2026

The petitioner, who has been undergoing judicial custody since dated 08.04.2026, preferred this application for grant of regular bail in connection with Aurangabad (Town) P.S. Case No. 90 of 2026 instituted under Sections 103(1), 61(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and u/s 27 of the Arms Act. A copy of the bail petition has been served upon the ld. P.P. for the State.

The briefly stated prosecution story is that the named accused persons had hatched a conspiracy to kill the brother of informant named as Junaid Ahmad by hiring shooters. He further alleged that on 30.01.2026 at 10:30 p.m., the said Junaid Ahmad was shot dead near Galazy Medical, Old G.T. Road, by unknown shooters, who were hired by the accused persons.

Learned counsel for the petitioner has submitted that the petitioner is quite innocent and has been falsely implicated in this case due to previous enmity. No specific allegation has been attributed against the petitioner. Petitioner has no concern with the alleged offence. It is further submitted that fardbeyan itself clearly states that the firing was done by unknown assailants and there is not even whisper that the petitioner was present at the place of occurrence or participated in the alleged firing. It is further submitted that the alleged motive narrated by the informant relates exclusively to prior enmity between the informant's family and one Fazilat Hussain against whom Town P.S. Case No. 204/2021 had earlier been lodged. Petitioner is neither relative nor family members of Fazilat Hussain. It is next submitted that the implication of the petitioner appears to be due to rivalry and suspicion without any supporting material. Petitioner is having one criminal antecedent vide Town P.S. Case No. 401/2020 in which he is on bail. It is lastly submitted that the petitioner has been languishing under judicial custody since 08.04.2026. It is therefore prayed that the petitioner be released on bail.

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Per contra, learned counsel for the informant as well as learned P.P. opposed the prayer for grant of bail to the petitioner and submitted that there was active participation of the petitioner in committing the murder of the deceased. The investigation is still continuing and there is strong apprehension that in case of enlargement on bail, the petitioner will tamper with the evidence and influence the witnesses, as such he is not entitled to be enlarged on bail.

Heard learned counsel for the petitioner as well as learned counsel for the informant and learned P.P. for the State.

During course of investigation, the police have collected the C.C.T.V. footage near the place of spot which is mentioned at para-17 of the case diary. At para-51, 52 and 53 of the case diary, there are confessional statement of co-accused persons and they have elaborately narrated to the police regarding the murder committed by them. At para-316 of the case diary, there is confessional statement of petitioner, who has himself confessed before the police that he had played his part of role during the commission of crime. From perusal of para-371 of the case diary, which is the CDR and CAF, it appears that the petitioner was in direct contact with the co-accused Belal @ Chanda. It is mentioned at para-58 of the case diary about the recovery of pistol, which was recovered on the basis of confessional statement of co-accused Danish Alam for which Aurangabad (Town) P.S. Case No. 93/2026 is registered. From perusal of para-145 and 385 of the case diary, it appears that the petitioner is accused in Aurangabad (Town) P.S. Case No. 401/2020 registered u/s 393 of IPC, Aurangabad (Town) P.S. Case No. 196/2019 registered u/s 341, 323, 379, 504/34 of IPC and East Delhi (Cyber) P.S. Case No. 72/2023 registered u/s 419, 420 of IPC and u/s 66(C), 66(D) of I.T. Act.

Considering the fact that there is a cold blooded murder, name of the accused persons including the petitioner had been surfaced out in the present case during course of investigation and there was common intention on the part of all the accused persons including the petitioner to cause the death of deceased and each of the accused persons including the petitioner have played their role for the execution of the said crime. **Hence, the bail petition filed on behalf of the petitioner Md. Sakib @ Saido is hereby rejected.**

Dictated

(Rajeev Ranjan Kumar)
Sessions Judge
Aurangabad (Bihar)