



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. of 2026
[ARISING OUT OF SLP (CRL.) NO.5630/2026]

MD SHAMSHER @ MOHAMMAD SHAMSHER Appellant(s)

VERSUS

THE STATE OF BIHAR Respondent(s)

O R D E R

1. Leave granted.
2. Heard learned counsel for the parties.
3. This appeal arises from an order dated 13.08.2024 passed by the High Court of Judicature at Patna rejecting the regular bail prayer of the appellant in connection with First Information Report (FIR) No.113/2024 (5140072240113/2024) registered at P.S. Jokihat, District Araria, Bihar.
4. At the outset, the learned counsel for the appellant submits that co-accused have been admitted to bail under order of this court dated 12.11.2025 passed in Criminal Appeal No.4845/2025.
5. The aforesaid position is not disputed by learned counsel for the State.

6. In view of the above, without expressing any opinion on the merits of the prosecution case, we are of the view that the appellant is entitled to be released on bail during trial.
7. The appeal is accordingly allowed. The order passed by the High Court rejecting the bail prayer of the appellant is set aside.
8. The appellant shall be released on bail on such terms and conditions as the trial court may deem fit to impose in the facts and circumstances of the case.
9. Pending application(s), if any, shall stand disposed of.

.....J
[MANOJ MISRA]

.....J
[N.V. ANJARIA]

New Delhi
April 10, 2026

UPON hearing the counsel the Court made the following

O R D E R

1. Leave granted.
2. The appeal is allowed in terms of the signed order which is placed on the file. The operative portion of the signed order is as under:

“The appeal is accordingly allowed. The order passed by the High Court rejecting the bail prayer of the appellant is set aside.

The appellant shall be released on bail on such terms and conditions as the trial court may deem fit to impose in the facts and circumstances of the case.”

3. Pending application(s), if any, shall stand disposed of.

(KAVITA PAHUJA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)