

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11467 of 2022

Arising Out of PS. Case No.-387 Year-2020 Thana- TURKAULIYA District- East
Champaran

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Shahid Alam @ Babloo S/o- Ali Mohammad Resident of Village- Semra
Belwatiya, P.S.-Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Tiwary, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 22-10-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period

of four weeks from today.

The petitioner seeks bail in connection with

Turkauliya P.S. Case No. 387 of 2020 registered for the offence

under Sections 341, 323, 307, 354, 504, 506 and 34 of the

Indian Penal code.

The accused/petitioner is named in the F.I.R. and is in

custody since 16.09.2021.

The allegation against the petitioner is to fire upon the

informant while he was standing close to the window of his

room.



Learned counsel appearing on behalf of the petitioner submitted that the present implication is due to previous enmities, as admittedly, both parties are cousins, where long-standing land disputes are pending. It is further pointed out that no injuries was caused due to alleged fire, where just on the basis of seizure of one empty cartridge, the entire implication is based. It is further submitted that petitioner involved in 4 criminal cases including present, out of which 2 cases was lodged by present informant. It is further submitted that firing was not repeated without any intervening circumstances and, as such, it can be safely gathered that petitioner was not under intention to cause death. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of nature of allegation, where petitioner is in custody since 16.09.2021 coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Turkauliya P.S. Case No. 387 of 2020 on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 16th Additional Session Judge, Motihari, East Champaran/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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