

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33780 of 2023

Arising Out of PS. Case No.-327 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

NOORSLED @ DON @ NOORSLED ALAM S/O MATIUR RAHMAN
R/O Village-Pothimari, Jagir Ward No.2 P.S.-Kochadhaman District-
Kishanganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 17-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. Let the defect(s), if any, be removed within a period
of four weeks from today.

3. The petitioner seeks bail in connection with
Kochadhaman P.S. Case No. 327 of 2021 registered for the
offence under Sections 341, 323, 307, 504, 506/34 of the Indian
Penal Code and under Section 27 of the Arms Act.

4. The accused/petitioner is named in the F.I.R. and is
in custody since 15.01.2022.

5. The allegation against the petitioner is to open fire
upon daughter of informant causing firearm injuries, having



intention to cause death, where occurrence is arises out of local panchayati election.

6. Learned counsel appearing on behalf of the petitioner submitted that the alleged firing was made as per narration of F.I.R. from very close range which raised suspicion as how only a single bullet injury was found upon injured. It is submitted that petitioner out of suspicion due to his criminal antecedents, as he found involved in 15 more criminal cases, also implicated with present case without having any bearing. It is submitted that petitioner is in custody since 15.01.2022, where prosecution witnesses are yet to be examined, and as such, trial is a remote aspect. 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.

7. Learned APP opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above, as petitioner is in custody since 15.01.2022, where trial is not likely to conclude in near future coupled with the fact that charge-sheet has already submitted, let the petitioner, above named, is directed to be released on bail in connection with Kochadhaman P.S. Case No. 327 of 2021 on



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-III, Kishanganj/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C. with further conditions:

“(i) That the petitioner shall not involve in similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the learned Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) That accused/petitioner shall cooperate in the trial and shall be physically present on each and every date before the learned Trial Court till the conclusion of trial and exemption from physical appearance be allowed by the learned Trial Court, only on medical ground of the petitioner duly supported by the documents.



(iii) That one of the bailors
shall be deponent of the present bail
petition.”

9. The presence of I.O. of this case is dispensed with.

(Chandra Shekhar Jha, J)

pooja/-

U		T	
---	--	---	--

