

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67193 of 2022**

Arising Out of PS. Case No.-65 Year-2022 Thana- SAHARSA SADAR District- Saharsa

MD. KOSHAR ALAM @ MD. KAUSAR ALAM Son of Noor Alam @ Noor
Mohammad Resident of Village- Kahra, Ward No.-24, Police Station and
District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 21-03-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 147,148,149,341,323,307,504,506 of the
Indian Penal Code and Section 27 of Arms Act.

Allegation against the petitioner is that he fired upon
the informant causing injury on his leg.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present
case. Further submits that due to land dispute, a complaint case
was filed by the father of the petitioner against the informant.
Further submits that the allegation against the petitioner is that
he fired upon the informant but the injury report of the



informant suggests that the injury is not on the vital part of the body of the informant rather the injury is on the leg of the informant. Further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 05.08.2022.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Saharsa Sadar P.S. Case No. 65 of 2022, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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