

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.24752 of 2024

Arising Out of PS. Case No.-761 Year-2022 Thana- MOTIHARI TOWN District- East
Champanan

Md. Alam @ALAM Mian Son Of Seikh Iliyas @ Sk. Iliyas Resident Of
Village- Shankar Saraiya, Tola Bankat, Ps- Turkauliya, Distt- East Champanan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Asif Kalim, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 03-04-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has renewed his prayer for grant of
regular bail in connection with S.Tr. no. 171 of 2024 arising out
of Motihari Town P.S. Case no. 761 of 2022 registered under
section 307 of the Indian Penal Code and section 27 of the Arms
Act.

3. As per the prosecution case, the informant states
that he was informed by his brother on mobile phone that
unknown accused persons have shot him. Subsequently, his
brother died.

4. Learned counsel for the petitioner submits that the
earlier prayer for bail of the petitioner was rejected vide order
dated 6.12.2023 passed in Cr. Misc. no. 64768 of 2023, giving
liberty to the petitioner to renew his prayer for bail after framing
of charge. Charge has been framed in the learned trial Court on



17.2.2024 and a copy of the order framing charge has been brought on record as Annexure- P/3. The petitioner is in custody since 6.7.2023 and undertakes to cooperate in the trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R, liberty granted to the petitioner in the earlier order of rejection dated 6.12.2023, charge having been framed in the learned trial Court on 17.2.2024 and the petitioner having remained in custody for about nine months since 6.7.2023, the petitioner is directed to be enlarged on bail in connection with S.Tr. no. 171 of 2024 arising out of Motihari Town P.S. Case no. 761 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II, East Champaran at Motihari.

(Partha Sarthy, J)

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