

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24277 of 2024

Arising Out of PS. Case No.-139 Year-2022 Thana- KHAJAULI District- Madhubani

Md Salim @ Md. Saleem S/o Md. Nazir R/o vill - Deori, P.S. - Benipatti,
Distt. - Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate
For the Opposite Party/s : Mr.Navin Kr.Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-04-2024 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the

State.

2. The petitioner seeks bail in connection with

Khajauli P.S. Case No. 139 of 2022 registered for the

offence under Sections 307, 302, 120B of the Indian Penal

Code and Section 27 of the Arms Act.

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

and is in custody since 09.01.2024.

4. The allegation against the petitioner is to

commit murder of the son of the informant alongwith named

co-accused persons by causing firearm injuries, where

occurrence arises out of local disputes and differences.



5. Learned counsel appearing on behalf of the petitioner submitted that informant is not the eye-witness of the occurrence and entire implication is based upon suspicion arises out of previous enmities. It is submitted that similarly situated co-accused namely, Md. Javed has already granted bail by one of the learned coordinate Bench of this Court through Cr. Misc. No. 86417 of 2023 dated 11.01.2024. It is further submitted that even single injured eye-witness of the occurrence, namely, Munindra Goit failed to name this petitioner, suggesting *prima-facie* that the petitioner was not involved in alleged occurrence. While concluding the argument, it is submitted that petitioner found involved in three more criminal case, where he is on bail, and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP, opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above and by taking note of fact as save and except suspicion nothing incriminating appears against this



petitioner, whereas injured eye-witness also suggesting nothing regarding involvement of petitioner in occurrence, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 09.01.2024, accordingly, petitioner above named, is directed to be released on bail in connection with Khajauli P.S. Case No. 139 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 Chief Judicial Magistrate, Madhubani/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

Rajeev/-

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

