

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60119 of 2024

Arising Out of PS. Case No.-342 Year-2024 Thana- CHAPRA TOWN District- Saran

Saddam Raza @ Saaddab Raza Son of Md. Kalim Quraishi, R/o Village-
Karim Chak, Ps- Chhpra Town, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Adv.

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail, who is in custody in connection with Chhapra (Town) P.S. Case No. 342 of 2024 registered for the offences punishable under Sections 147, 149 and 307/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 4 of the Explosive Substance Act.

3. Allegedly, while the informant was sitting at his door, in the meantime, all the FIR named accused persons including the petitioner armed with weapons came there and started abusing and assaulting. It is specifically alleged that when the daughter of the informant came to rescue of the informant, co-accused Raja Kuraishi fired upon her due to which she sustained firearm injury on her leg. It is also alleged



that the petitioner along with one Nehal Quraishi hurled bomb in order to terrorize the informant and others.

4. It is contended on behalf of the petitioner that the narratives made in the FIR clearly suggest that there is longstanding enmity between the parties. It is further contended that the omnibus allegation has been levelled against thirteen accused persons. So far the allegation of hurling bomb against the petitioner and one another co-accused person is concerned, the same does not corroborate with the seizure list, which clearly suggests that the bomb has been recovered from the premises of Nagar Thana, Saran, Chapra. It is next contended that it is the admitted fact that on account of the bomb, none has sustained any injury. Moreover, the petitioner is a man of fair antecedent and he undertakes that he will not indulge in such type of activities in future.

5. On the other hand, learned counsel for the State vehemently opposed the bail application and submitted that there is specific allegation of hurling bomb against the petitioner. However, the informant and his family members were fortunate enough that the bomb did not explode.

6. Regard being had to the submissions made on behalf of the parties and considering the seizure list which



clearly suggests that the bomb has been recovered from the Nagar Thana premises, coupled with the fact that none has sustained any injury on account of the bomb and so far the specific allegation of firing is concerned, that is against co-accused person and moreover the petitioner bears fair antecedent and now the investigation of the crime is complete and the charge-sheet has been submitted, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Chhapra at Saran in connection with Chhapra (Town) P.S. Case No. 342 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be



cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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