

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71576 of 2024

Arising Out of PS. Case No.-312 Year-2022 Thana- PAKRIDAYAL District- East Champaran

Samim Miya @ Lale @ Mohammad Shamimaalam @ Samim Alam Son of
Late Azuzul Miya Resident of Village- Itawa, P.S.- Pakridayal, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-12-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 341, 307 of the Indian Penal
Code and Section 27 of the Arms Act.

3. Petitioner is said to have fired upon the informant
but it hit one child of the village namely Jamullah.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that the informant who is Choukidar is not the
eye witness and he himself has stated that he heard rumour
about the occurrence. He submits that the charge has been
framed and there is no allegation of tampering with the
prosecution witness against the petitioner. He further submits



that petitioner has six criminal antecedents as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case and the fact that the charge has been framed in the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Pakridayal P.S. Case No. 312 of 2022, subject to the conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(II) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(III) The petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(IV) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State



shall be at liberty to move for cancellation of bail.

(V) The petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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