

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73310 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- SUGAULI District- East Champaran

Tasir Alam @ Tashir Alam Son Of Rojid Mian Resident Of Village - Ajgari
Masjid Tola, P.S. - Banjariya, District - East Champaran

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mrs.Nirmala Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 18-03-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in Sugauli P.S. case No.
106 of 2023 instituted for the offences under Section 394 of the
Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution allegation, in short, is that while the
informant was on the way, one accused person stopped his
motorcycle and two accused persons standing there opened fire
at the informant due to which he sustained injury.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. General and omnibus allegation has been made
against the petitioner. No specific overt act is alleged against



the petitioner. The petitioner has not been put on Test Identification Parade to ascertain his participation in the alleged occurrence. Except the confessional statement, there is nothing on record to substantiate the allegation made in the F.I.R. The petitioner is in custody since 28.07.2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP submits that during the investigation, it has come that one of the co-accused disclosed the name of the petitioner and stated that the petitioner fired at the informant due to which he sustained multiple injury. The learned APP further submits that the petitioner has seven criminal criminal antecedents.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and gravity of offence, this Court is inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

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