

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83663 of 2023

Arising Out of PS. Case No.-125 Year-2023 Thana- BRAHMPURA District- Muzaffarpur

Md. Arman @ Arman, S/O Md. Quaisar Alam @ Md. Kaisar, R/O Mohalla-
Quila Bandh Chowk, Mehdi Hasan Road Brahampura, P.S- Brahampura,
Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Brahampura P.S. Case No. 125/2023 lodged on 18.06.2023 under
Section 307/34 of the Indian Penal Code and Section 27 of the
Arms Act.

3. As per the prosecution case, the FIR has been lodged
against two named and one unknown accused person, including
the present petitioner with an allegation of resorting fire upon the
informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The cause of
dispute has been mentioned in the FIR itself that the son of the
informant solemnized marriage with the sister of co-accused Bittu
due to which there was rivalry between them. The petitioner is
basically a stranger and he is a resident of the same village and



also friend of said co-accused Bittu with whom the marriage of the sister of the informant was solemnized and only due this reason, his name has been dragged by the informant in the present case. The petitioner is in custody since 19.06.2023 having no criminal antecedent.

5. Learned counsel for the State opposes the prayer for bail and submits that the petitioner was identified to have fired upon the informant.

6. Upon specific query from the counsel for the petitioner whether the charge has been framed or not, learned counsel for the petitioner submits that he is not aware about the fact whether the charge has been framed or not.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of J.M. 1st Class, East, Muzaffarpur, subject to the conditions as laid down under Section 437(3) of the Cr. P.C.

(Dr. Anshuman, J)

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