

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6619 of 2025

Arising Out of PS. Case No.-350 Year-2022 Thana- MOUZA HIDPUR District- Bhagalpur

Md. Imtiaz Son of Late Md. Fakruddin @ Feku Mian Resident of Mohalla -
Mogalpura, Husainabad, Police Station - Babarganj, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

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

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

ORAL ORDER

4 06-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with S.T. No.
707 of 2024 arising out of Mojahidpur (Babarganj) P.S. Case
No. 350 of 2022 instituted for the offences under Sections 341,
342, 307/34 of the Indian Penal Code.

3. Prosecution case, in short, is that, on the alleged
date and time when the informant along with his associate was
returning home after making pairvi in a case, the petitioner
opened fire upon them which hit the informant's helmet and also
on the leg of the informant's associate, namely Faizal.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the



present case. Learned counsel further submitted that there is a delay of seven days in lodging the FIR without plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.04.2024 and has four criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that there is allegation of firing against this petitioner and therefore, the petitioner does not deserve to be released on bail.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with S.T. No. 707 of 2024 arising out of Mojahidpur (Babarganj) P.S. Case No. 350 of 2022, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses or threatens the informant or his family members, in that case, the prosecution will be at liberty to move for cancellation of bail.

(IV) Petitioner shall not leave the territorial jurisdiction of the learned court below without taking its prior permission. If the petitioner violates any condition/s, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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