

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 9135 of 2025**

Arising Out of PS. Case No.-18 Year-2024 Thana- CHOUTARWA District- West Champaran

Khursed Alam @ Raju S/O Shekh Alauddin R/o Vill - Kolhua Chautarwa, P.S  
- Chautarwa, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Gauri Shankar Thakur, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      28-03-2025                      Heard learned counsel appearing on behalf of the  
petitioner and the learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with  
Chautarwa P.S.Case No.18 of 2024, registered for the offences  
punishable under Sections 326, 307 and 109/34of the Indian  
Penal Code and Section 27 of the Arms Act.

3. As per the allegation made in the FIR, the petitioner  
along with the other accused persons had started firing on the  
nephew of the informant with an intention to kill him. The  
specific allegation is against Meraj Khan and the allegation  
against the petitioner is that he took out the pistol from his waist  
and fired on the informant causing fire arm injury to him.

4. Learned counsel appearing on behalf of the  
petitioner submitted that the petitioner has been implicated in



the present case due to previous enmity and the dirty village politics. The petitioner is not concerned with co-accused Meraj Khan, who had fired on the nephew of the informant, as a result he sustained back injury and fell down on the spot. The story of snatching a Pistol and then firing upon the nephew of the informant is fabricated one. Both the informant and his nephew were treated at GMCH, Bettiah but the injury report has been issued by a Private Hospital at Patna, which is fabricated one. Learned counsel further submitted that the witnesses, who were present at the place of occurrence while settlement between the parties was going on have informed that the petitioner was not present at the spot.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the fact that the informant is alive and he is the eye witness, who has sustained fire arm injury and he with his open eye has seen the petitioner, who fired upon his nephew. A statement has been made in paragraph no.11 of the bail application that the informant and his nephew were being treated at GMCH Hospital, Bettiah but the informant managed to get prepared a fabricated injury report



from a Private Hospital at Patna though it has not been stated in the bail application, on which date the petitioner was admitted at GMCH Hospital, Bettiah and on which date the petitioner and his nephew were discharged, as such the statement made in paragraph no.11 of the bail application can not be sustained in absence of any supporting evidence.

7. I, however, leave it open to the learned district court to verify from the record whether the petitioner is innocent and he was not available at the place of incident and also verify the two important dates - 1. date of admission in GMCH Hospital at Bettiah and 2. date of discharge from the said Hospital.

8. In view of the above facts and the circumstances of the case, the present bail application is disposed of.

**(Purnendu Singh, J)**

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