

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16013 of 2025

Arising Out of PS. Case No.-461 Year-2023 Thana- KOTWALI District- Munger

Md Shabaj @ Md Chulha@ Chhotu @ Chulha Son of Md Johar Alam @
Munna Mistri R/O-Mohalla- Dilawarpur Purabsarai, P. S. - Kotwali, District-
Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 02-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Sessions Trial No. 139 of 2024 arising out of P.S Case No.
Kotwali P.S Case No. 461 of 2023 from the Court of learned
Additional District & Sessions Judge-V, Munger registered for
the offences punishable under Sections 307, 427, 34 of the I.P.C
and under Section 27 of the Arms Act.

3. As per allegation in the FIR, petitioner along with
co-accused have fired bullet on the informant and looted the
shop of one Neeraj Kumar.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. It is also
submitted that petitioner is in judicial custody since 30.01.2024



and petitioner has got six criminal antecedent as stated in para 3 of the petition.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. From perusal of the F.I.R., impugned order and case diary, it appears that allegation against the petitioner is specific for firing bullet upon the informant. Witness in case dairy has also supported the prosecution case. Empty cartridges recovered from the the place of occurrence and petitioner has got six criminal antecedent.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant regular bail to the petitioner.

8. Accordingly, prayer for regular bail of the petitioner is hereby rejected.

9. However, petitioner may renew his prayer for regular bail before trial Court after completion of one year of custody from the date of this order.

(Ramesh Chand Malviya, J)

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