

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19665 of 2025

Arising Out of PS. Case No.-265 Year-2024 Thana- TAJPUR District- Samastipur

MD. FARUK Son of Md. Abdul Rauf Resident of village - Salempur, Police
Station - Bangara and District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 15-04-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Tajpur P.S. Case No. 265/2024 dated 21.12.2024 registered for the offence punishable u/s 126(2), 115(2), 118(2), 117(2), 109, 352, 351(2), 191(2), 191(3) and 190 of the B.N.S. and Section 27 of the Arms Act.

3. As per the prosecution case, on 21.12.2024, at about 1.45 P.M., the informant came home after sowing wheat seeds in land situated in Sultanpur Morwa and started preparing for the sraddha karma of his late grandfather. Meanwhile, his uncle Uday Shankar Jha came and told that some unknown person was making a bed and digging a pit in their land. In the



meantime, three masked boys riding a motorcycle came to the house, abused and ran away. Then the informant went to the farm again with his brothers Aman Kumar and Gaurav Kumar and saw that 25-30 persons, after being drunk, were firing in the air and digging pits. When the informant protested, the co-accused Md. Sonu, Md. Aslam, Rahul Kumar Jha, Roshan Kumar Jha and 20-25 unknown persons shot at the informant with the intention to kill him. The bullet hit his left leg above the knee and the informant fell on the ground injured. All the persons who fired the bullets were the men of Rahul Jha, on whose order all the people have gathered there and were occupying his land, and when he protested, he was shot and injured. It is further alleged that the co-accused, Md. Aslam's brother Mohd. Farooq (petitioner) is also involved in this incident.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a land dispute between the parties. There is a case and counter case. Learned counsel has submitted that the petitioner is made accused in this case only because he is the brother of the co-accused, Md. Aslam. There is general and omnibus allegation against the petitioner. Nothing has been



recovered from the conscious possession of the petitioner. The petitioner has two antecedents and in both the cases he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 18.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Tajpur P.S. Case No. 265/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

atul/-

U		T	
---	--	---	--

