

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26723 of 2025

Arising Out of PS. Case No.-311 Year-2024 Thana- SUGAULI District- East Champaran

1. Jamil Hassan @ Bhutta S/o Late Mahammad Jan Miya R/o Village- Baksha Tola Hata, P.O.- Raghunathpur Bazar, P.S.- Sugauli, District- East Champaran
2. Shyam Kumar @ Shiyara Kumar S/o Sukai Thakur R/o Village- Baksha Tola Hata, P.O.- Raghunathpur Bazar, P.S.- Sugauli, District- East Champaran
3. Md. Aslam @ Aslam Alam S/o Jamil Hasan R/o Village- Baksha Tola Hata, P.O.- Raghunathpur Bazar, P.S.- Sugauli, District- East Champaran
4. Iffan Alam @ Irfan Allam S/o Jula Miya R/o Village- Baksha Tola Hata, P.O.- Raghunathpur Bazar, P.S.- Sugauli, District- East Champaran
5. Meraj Alam S/o Mir Hasan Miya R/o Village- Baksha Tola Hata, P.O.- Raghunathpur Bazar, P.S.- Sugauli, District- East Champaran
6. Sukhari Miya @ Sukhadi Miya S/o Late Jahir Miya R/o Village- Baksha Tola Hata, P.O.- Raghunathpur Bazar, P.S.- Sugauli, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 16-05-2025 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of three cases and petitioner



nos.2, 3 and 4 are persons with clean antecedent and petitioner nos.5 and 6 have antecedent of one case and the informant alleges that she was constructing her house when accused persons including the petitioners came and started abusing, on objection, Bhola and Jamil gave orders to shoot, on alarm people gathered when Jamil fled throwing his katta in the field and Bhola was apprehended with gun and rest accused fled.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation is alleged against the petitioner nos.2 to 5. It is next submitted that a specific pleading has been made at Para-11 that informant and petitioners are agnates. It is also submitted that they are having dispute relating to property. It is further submitted that though informant alleges that the accused came variously armed, but then, does not allege that any firing was made. It is thus submitted that the allegations have been levelled only to give seriousness to the case.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned



counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M.F.C., Raxaul at Motihari in connection with Sugauli P. S. Case No.311 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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