

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25768 of 2025

Arising Out of PS. Case No.-113 Year-2023 Thana- TAJPUR District- Samastipur

Md. Taslim @ Haikal Son of Md. Samim @ Md. Gafur @ Abdul Gafur R/V-
Morba Gopal Tola, P.S.- Musarigharari, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-04-2025 1. Heard learned counsel for the petitioner and Mr. Rabindra Kumar, learned A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the offences punishable under Sections 120(B) and 302/34 of the Indian Penal Code as well as Section 27 of the Arms Act.
3. Learned counsel for the petitioner submits that this is the second attempt of the petitioner to seek bail.
4. The petitioner had earlier moved this Court seeking regular bail by filing Cr. Misc. No. 18902 of 2024 but then the learned counsel, who appeared on behalf of the petitioner, in Cr. Misc. No. 18902 of 2024, after some argument, sought permission to withdraw the bail application, accordingly, permission was accorded by an order dated 17.05.2024.
5. At this stage, Mr. Rabindra Kumar, learned A.P.P. for the State vehemently opposes the prayer for regular bail of



the petitioner and submits that co-accused Wakil Chaudhary had approached this Court seeking regular bail by filing Cr. Misc. No. 6515 of 2025 in which the Investigating Officer of the case was summoned, he appeared on 26.03.2025 and submitted that during the course of investigation, it transpired that the deceased i.e. the son of the informant was shot by Md. Taslim @ Haikal (petitioner herein) and Wakil Chaudhary was also present at the place of occurrence. It was also submitted by the Investigating Officer that Md. Taslim @ Haikal (petitioner herein) had asked the son of the informant and Anmol to accompany him in the litchi orchard for playing cricket and when her son and Anmol accompanied Md. Taslim @ Haikal (petitioner herein), thereafter, Wakil Chaudhary also came from behind and went inside the litchi orchard and, thereafter, the informant heard shot of gun fire and thereafter, her villagers Murari Sharma and Nitin, on hearing the gunshot, came at the place of occurrence when they saw the accused persons present there. Learned A.P.P. further submits that the Investigating Officer also submitted that the confessional statement of Md. Taslim @ Haikal (petitioner herein) was recorded wherein he has accepted that it was he, who shot the deceased, but then the conspiracy was hatched by Wakil Chaudhary.



6. Learned A.P.P. further submits that Wakil Chaudhary was granted the liberty to renew his prayer for bail after framing of charge by order dated 26.03.2025 in Cr. Misc. No. 6515 of 2025 on the ground that apart from conspiracy, nothing had transpired during the course of investigation connecting him with the offence but then submits that during the course of investigation, it transpired that it was this petitioner who committed the occurrence of killing the innocent boy.

7. Considering the submissions made by the learned A.P.P., the Court is not inclined to release the petitioner on bail in connection with S.T. No. 473 of 2023 arising out of Tajpur P.S. Case No. 113 of 2023 pending in the Court of learned Additional Sessions Judge-VIII, Samastipur/Successor Court.

8. Accordingly, the prayer for bail is rejected.

(Satyavrat Verma, J)

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