

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24697 of 2025

Arising Out of PS. Case No.-284 Year-2024 Thana- UDAKISHUNGANJ District-
Madhepura

Md. Alam S/o Late Md. Tajmul @ Late Tajmul R/o Village- Rahta, Ward No.
23, P.S.- Udakishunganj, District- Madhepura

... .. Petitioner/s
Versus
The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr.Pawan Kumar, Advocate
For the Opposite Party/s : Mr.Pramod Kumar Pandey, A.P.P.
Mr. Alok Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Udakishunganj P.S. Case No. 284 of 2024, registered for the offences under Sections 191(2), 190, 126(2), 127(2), 115(2), 352, 109(1) of the B.N.S. and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner under some misunderstanding started abusing the husband of the informant and after some time the petitioner and other co-accused persons who were armed with *lathi*, *danda* and iron rod came to the doors of the informant and started hurling abuses. When the husband of the informant opposed, all of them



surrounded and started assaulting him with *lathi*, *danda*, slaps and fists. The petitioner drew out the fire arm from his waist and fired upon the husband of the informant who fell down.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. The petitioner and the informant are next door neighbours and there is previous enmity between them on account of land dispute. Charge sheet in this case has been submitted without any injury report. Learned counsel further submits that there are four criminal cases pending against this petitioner and in all cases he is on bail. The petitioner is in custody since 03.09.2024 and charge sheet has been submitted.

5. Learned A.P.P. appearing for the State as well as learned counsel for the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that the opinion of injury has been reserved and for this reason there is no injury report when charge sheet has been filed. Learned counsel further submits that there is specific allegation against the petitioner the he had shot on the husband of the informant and injury report shows entry and exit wounds though opinion has been reserved for



nature of injury. Learned counsel further submits that three witnesses has been examined in this case and with such serious allegation, the petitioner does not deserve to be enlarged on bail.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the submission of charge sheet and period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.D.J.,-IV, Madhepura/concerned court, in connection with Udakishunganj P.S. Case No. 284 of 2024, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the



petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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