

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26553 of 2025

Arising Out of PS. Case No.-612 Year-2024 Thana- BARHARIA District- Siwan

Imran Ali @ Ibran Ali S/o Noor Mohammad @ Noor Mahmud R/o Village-
Rasulpur, P.S.- Barharia, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Adv
For the Opposite Party/s : Mr. Anil Kr. Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 18-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Barharia

P.S. Case No. 612 of 2024 registered for the offences under

Sections 126(2), 115(2), 117(2), 109, 303(2), 352, 351(2) and

3(5) of the BNS and later on Section 103(1) of the BNS was

added.

3. The petitioner is named in the F.I.R. and is in custody

since 15.02.2025.

4. The allegation against the petitioner is to assault

informant by using iron rod on his head causing head injury along

with other co-accused persons due to which injured/informant died

after two days of the occurrence, which alleged to be arising out of



land dispute between the parties.

5. Learned counsel appearing on behalf of the petitioner submitted that allegation of physical assault is appearing very much general and omnibus. It is pointed out that assault as alleged to be caused by this petitioner is single without having any intervening circumstance and, therefore, it can be said safely that petitioner was not under intention to cause death of informant/injured. It is further submitted that keeping petitioner behind bars for indefinite period of time shall not serve any purpose of justice. While concluding the argument it is submitted that petitioner is a 19 year student of clean antecedent and moreover investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, while opposing the prayer for bail submitted that specific allegation to assault on the head of the informant is available against this petitioner, which proved fatal. It is submitted that injured/deceased is himself informant and there is no reason to disbelieve his version. It is also pointed out that injury appears in corroboration with post-mortem report of the deceased.

7. Considering the aforesaid factual submission and by



taking note of fact as specific allegation to cause fatal head assault is against petitioner, as per informant who himself is injured and died subsequently, accordingly, the prayer for bail of the petitioner stands rejected herewith for the present.

8. Considering the custody period of petitioner as petitioner remains in custody since 15.02.2025, learned Trial Court is directed to conclude the trial, preferably, within a period of one (01) year from the date of receipt of this order, failing which petitioner may renew his prayer of bail, if so advised.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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