

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27812 of 2025

Arising Out of PS. Case No.-320 Year-2024 Thana- BIHARIGANJ District- Madhepura

Md. Kajim S/o Late Md. Basir @ Late Basir R/o Village- Koriya Rahi Ward
No 07, P.S- Bihariganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Adv

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Bihariganj P.S. Case No. 320 of 2024, registered for the offence punishable under Sections 115(2), 126(2), 109, 352, 351(2), 3(5) of B.N.S. and 27 of Arms Act.

3. The case of the prosecution, in short, is that the accused-petitioners are said to be the anti-social elements, who run a gang. Petitioner and co-accused Md. Raja are uncle and nephew in relation and both of them are leaders of the said gang. When the persons are going to perform Namaj in nearby Masjid, both Md. Kajim (the petitioner herein) and Md. Raja started abusing and when the informant opposed them then both made four rounds firing.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case due to village politics. There is a previous land dispute between the petitioner and informant due to which he has been implicated. He further submits that the petitioner neither abused nor fired.

5. Learned A.P.P. for the State opposes the prayer of anticipatory bail.

6. From reading of the FIR, it appears that there exist a dispute between the petitioner and the informant Amina Khatoon with regard to *rasta*. The informant Amina Khatoon with whom there exist a dispute with the petitioner has filed the FIR alleging that the petitioner and Md. Raza was found abusing people who were going for Namaz and when the informant opposed them, both made four rounds of firing. Although the said allegation of firing has been made against the petitioner but no one is alleged to have got injured and the petitioner has clean antecedent. Under these circumstances, this Court is inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks



from today, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Udakishunganj, Madhepura in connection with Bihariganj P.S. Case No. 320 of 2024, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Alok Kumar Sinha, J)

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