

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31919 of 2025

Arising Out of PS. Case No.-218 Year-2024 Thana- MANIHARI District- Katihar

Md. Bulla @ Bulla, S/o- Hussain @ Md. Hussain, Resident of Village-
Narayanpur, P.S.- Manihari, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Musowir, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 06-08-2025 Heard the parties.

2. The petitioner seeks regular bail, who is in custody in connection with Manihari P.S. Case No. 218 of 2024 registered for the offences punishable under Sections 126(2), 109, 115(2), 303(2), 351(2) of the of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.

3. Allegedly while the informant was passing through the mango orchard, in the meanwhile, the petitioner intercepted him and on the point of pistol demanded money. When the same was resisted, the petitioner fired upon him, due to which he sustained bullet injury in his head. The petitioner thereupon snatched Rs.20,000/- from his pocket and a silver locket and fled away on a motorcycle.

4. Learned Advocate for the petitioner submitted that



the alleged occurrence took place on 17.08.2024, however, the present F.I.R. came to be lodged on 30.08.2024, after a delay of thirteen days, without their being any explanation. The entire prosecution case falls to the ground on bare perusal of the injury report, which suggests that the injury is found to be simple in nature, caused by hard and blunt substance. He further submits that though the petitioner having one criminal antecedent, but the same relates to a matrimonial dispute, giving rise to offence under Sections 498A and other allied Sections of the Indian Penal Code. Now the petitioner has been incarcerated since 07.01.2025.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that specific accusation has been levelled against the petitioner.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the F.I.R. and the injury report, which does not corroborate the prosecution case, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Manihari P.S. Case No. 218 of 2024, subject to the condition



that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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