

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32996 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- PRANPUR District- Katihar

Ainul Haque @ Md. Ainul Haque S/o- Soharb Ali @ Sohrab Ali Resident of
Kewala PS- Pranpur, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Adv

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 26-05-2025 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner makes a prayer for grant of regular bail in a case registered for the offences punishable under Sections 109, 307,120B 61,(2), 3(5) of BNSS and section 27 of the Arms Act.

3. The allegation in the FIR is that on 08.02.2025, the informant's son received a phone call whereafter, he left the house on a motorcycle and on the same day at around 8.15pm the informant received an information that his son Uttam Kumar Mandal had received a gun shot and was lying in injured condition. He was referred to a higher center for treatment and it has further been alleged that on 08.02.2025 it was one Ainul Haque, the present petitioner and Enamul Haque, who had



taken the informant's son to the land of Suraj Sah and there they had a party thereafter, some unknown persons came on two motorcycle and fired at the informant's son.

4. Learned counsel for the petitioner submits that it would be apparent from the FIR itself, that the petitioner is not the one who has resorted to firing. The allegation upon him is that he had called the victim to a certain place and they were all eating together. It has further been submitted on behalf of the petitioner that as a matter of fact, some unknown persons had come on the place of occurrence, who had fired shot at the victim. And the petitioner has been made accused in this case on the ground that there was some dispute with regard to sale and purchase of land. Further, it would be clear from the bail rejection order itself, that the allegation against the petitioner is that of conspiring with the other co-accused persons and getting him shot. It has also been submitted that as a matter of fact, there is no eye witness to the alleged occurrence and the statement of the injured person taken during course of the investigation, also discloses the fact, that gun shot was made by unknown person.

5. The learned APP opposes the prayer for bail.

6. Considering the aforesaid facts and circumstances and also



considering the fact the petitioner is in custody since 12.02.2025 and the charge sheet has also been submitted and the petitioner has no criminal antecedent, let the above named petitioner shall be enlarged on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in Pranpur P.S. Case No.33 of 2025,

7. It is however directed that the petitioner shall co-operate in the trial and shall physically remain present on each and every date fixed by the trial court till framing of charge. In case of default in such appearance on two consecutive dates, without sufficient reasons, the trial court shall have liberty to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J)

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