

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33214 of 2025

Arising Out of PS. Case No.-166 Year-2022 Thana- SULTANGANJ District- Patna

Md. Imran @ Lallu @ Imran S/O Md. Habib R/O Mohalla- Dargah Road,
Near Karbala Mosque, P.s.- Sultanganj, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.K. Lal, Sr. Adv. Mr. Pramod Kumar, Adv.
For the Opposite Party/s	:	Mrs. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 13-08-2025 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sultanganj P.S. Case No. 166 of 2022 registered on 15.02.2022 for the offences under Sections 341, 324 and 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, brother of the informant was shot dead by co-accused Bhondou and 3-4 other miscreants. Subsequently, the informant came to know from his maternal cousin that co-accused Bhondou fired 3-4 times from country made pistol killing the brother of the informant.

4. Learned senior counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. The petitioner has no involvement in the whole occurrence. Petitioner has not been named in the FIR either by the informant or his cousin stated to be an eye-witness. The name of the petitioner surfaced in this case on the basis of statement of witnesses recorded subsequently. But it appears from the statement that they are not eye-witnesses and her conduct falsifies the claim of eye-witness. Learned senior counsel further submits that the confessional statement of the petitioner was recorded under duress and coercion and is not believable. Moreover, the allegation of firing fatal shot is against co-accused Bhondu and not against the petitioner. Petitioner has been named along with co-accused persons Sanny and Jimmy for being present at the place of occurrence and both the co-accused persons have been granted anticipatory bail different Co-ordinate Benches vide order dated 17.07.2023 passed in Cr. Misc. No. 39463 of 2023 and order dated 23.08.2023 passed in Cr. Misc. No. 53696 of 2023. Even co-accused Bhondu has also been granted bail by a Co-ordinate Bench vide order dated 22.05.2024 passed in Cr. Misc. No. 7151 of 2024. Petitioner is in custody since 07.02.2024 and charge-sheet has been submitted. Petitioner is having antecedent of five cases and he is on bail in four such cases.



5. Learned A.P.P. opposes the submission made on behalf of the petitioner. Learned APP submits that the name of the petitioner transpired in this case on the basis of statement of the witnesses who were examined during investigation.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the remote, vague and doubtful nature of allegation against the petitioner and further considering grant of bail to similarly placed co-accused persons and also considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Patna City, Patna/concerned court in connection with Sultanganj P.S. Case No. 166 of 2022, subject to the conditions mentioned in 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.



(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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