

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38311 of 2025

Arising Out of PS. Case No.-18 Year-2024 Thana- CHOUTARWA District- West Champaran

Meraj Khan S/O Abulhasan Khan @ Abdul Hassan Khan R/O Mohalla-
Kolhua, P.S- Chautarwa, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-06-2025 Heard the parties.

2. The petitioner is in custody in connection with Sessions Trial No. 616/2024 arising out of Chautarwa P.S. Case No. 18 of 2024 for the offence punishable under sections 326, 307, 109/34 of the Indian Penal Code and section 27 of the Arms Act, lodged on 25.01.2024 by the informant, Faiyaz Sah

3. As per the prosecution story, the informant alleged that due to earlier enmity, one Sheikh Allauddin gave pistol to Meraj Khan (petitioner) who opened fire causing injury on the vital part of Faiyaz Sah. Further, when Sabirul Ali, his brother came to his rescue, Khurshid Alam snatched pistol and he again opened fire causing injury on the back of Sabirul Ali. Both were rushed to GMCH, Bettiah for treatment whereafter, the FIR.

4. Learned counsel for the petitioner submits that he has



already suffered by being in custody since 27.01.2024, shall be diligently appearing in trial and the last submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioner on its own would like to contribute Rs. 5,000/- towards the medical assistance through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP opposes the prayer for bail submitting that he opened fire causing injury to the informant.

6. Allegation is there, the fact remains that he has remained in custody since 27.01.2024, he has undertaken to diligently appear in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions subject to payment of Rs. 5,000/- as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court which was to be handed over to the informant (*injured*).

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned 1st Additional Sessions Judge, Bagaha, West Champaran in connection with Chautarwa



P.S. Case No. 18 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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