

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38189 of 2025

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

Khurshed Alam @ Raju @ Khursheed Alam S/O Sheikh Alauddin R/O
Village- Kolhua Chautarwa, P.S- Chautarwa, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shahbaj Alam, Advocate

For the Opposite Party/s : Mr.Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the offences under Sections 326, 307, 109, 34 of Indian Penal Code and Section 27 of Arms Act.

3. As per the prosecution case, the petitioner is alleged to have shot upon Sabirul Ali causing bullet injury on his back.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Learned counsel further submits that the allegations levelled in the FIR is falsified as from perusal of the case diary it is evident that the eye-witnesses and other witnesses who have been examined by the police have not stated anything about the



petitioner especially with regard to firing upon Sabirul Ali. It is lastly submitted that the petitioner has clean antecedent and is in custody since 29.03.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the submissions made on behalf of the petitioner, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees 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 connection with Chautarwa P.S. Case No. 18/2024 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two 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.
- d. 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the aforementioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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