

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43053 of 2025

Arising Out of PS. Case No.-318 Year-2024 Thana- DUMARIAGHAT District- East
Champaran

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Lalu Miya @ Pravej Alam S/o Tejmuddin Miya @ Muheli @Tejmuddin @
Bhuteli Vill.- Kashahar @ Kushhar, P.S.- Kesariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Nafisuzzoha, Adv.
For the Opposite Party/s	:	Mr. Binod Kumar, APP
For the Informant/s	:	Mr. Abhishek Kumar, Adv.
		Mr. Sharad Kumar Verma Adv.
		Mr. Sargar Kumar, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Dumariyaghat P.S. Case No. 318 of 2024 dated 25.12.2024 registered for the offences punishable under Section 103(1) read with Section 3(5) of the B.N.S. and Section 27 of Arms Act.

3. As per the prosecution case, on 25.12.2024 at about 9:30 AM, when the husband of the informant namely Irshad Alam was returning to his house from school, in the meantime, the petitioner and the co-accused persons along with two unknown miscreants surrounded the husband of the informant



and fired on him due to which he sustained gunshot injury and fell down near the of Jakir Miya. Thereafter, all the accused persons fled away from there. The husband of the informant was taken to hospital where the doctor declared him dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is specific allegation against the petitioner rather the allegation against the petitioner is general and omnibus allegation in nature. Nothing has been recovered from the possession of the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 01.03.2025.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that as per the post-mortem report of the deceased, the cause of death haemorrhage and shock caused by firearm.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court



concerned, East Champaran in connection with Dumariyaghat
P.S. Case No. 318 of 2024, with a condition:-

(i) The petitioner is directed to remain physically
present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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