

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62823 of 2024

Arising Out of PS. Case No.-81 Year-2020 Thana- SHEOHAR District- Sheohar

Md. Jafre Alam @ Jafre Alam Son of Sekh Taqudir @ Md. Taqdir Resident of
Village - Kasturiya, P.S. - Tariyani, District - Sheohar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Neeraj Kumar, Advocate

For the Opposite Party/s : Mr.Abhay Kr Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 18-04-2025 Heard learned counsel for the petitioner and the
State.

2. The petitioner apprehends arrest in a case registered
for the offence punishable under sections 307, 120B of the
Indian Penal Code and section 27 of the Arms Act.

3. Informant alleges that on 08.03.2020 at 9 pm he
went outside his house to meet nature's call when he received a
call of his brother-in-law and started talking with him over
phone. It is alleged that in the meantime two persons arrived on
white color Apache bike and opened indiscriminate fire at him.
It is further alleged that upon receiving gunshot injury, he fell
down on the ground and when he regained consciousness, he
found himself in Nandi Path Memorial Hospital, Sitamarhi.
Informant alleged that his co-villager Pramod Mahto is involved
in the trade of "Saree" with him and he was having a dispute



with informant on account of dues of Rs -80,000/-. It is alleged that upon making repeated demand he paid Rs.-5000/- whereas Rs.-75000/-was still due on him and despite of demands he was not making payment thereof. Informant further alleged that Md. Jafre (Petitioner) was also involved in the said trade with him and he is also having a dues of Rs.21,177/- on him. It is further alleged that on making demand, petitioner stated that his brother Md. Sadare will make payment but subsequently he stopped entertaining call of informant and upon making call from different number, he threatened informant with dire consequence.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He submits that on the date of alleged occurrence, petitioner was not available within the jurisdiction of India as he was earning his livelihood in Dubai and petitioner was having no knowledge of lodging of this case. supplementary affidavit has been filed by the petitioner stating therein that petitioner has gone to Abudhabi on 24 September 2019 which is clear from his boarding pass annexure-2 of bail application and remained at Abudhabi all along and his departure flight is dated 15.7.2024. It has been submitted in the



supplementary affidavit that his Visa was extended from 13.10.2019 to 12.10.2021 and thereafter again his Visa was extended from 10.10.2021 to 09.10.2023. His Visa was extended from 16.10.2023 to 05.10.2025. Learned counsel submits that save and except suspicion, there is no other direct or indirect evidence against the petitioner to show his complicity in the occurrence. Petitioner claims clean antecedent.

5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sheohar in Sheohar Police Station Case No. 81 of 2020, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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