

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66158 of 2025

Arising Out of PS. Case No.-299 Year-2025 Thana- ALOULI District- Khagaria

Md. Shamim @ Md. Samim S/o Iliyas R/o Village- Chak Hamid (Chakhmid),
P.S.- Bakhri (Bakhari), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s :	Mr. Choubey Jawahar, APP
For the Informant :	Mr. Ranjeet Kumar Singh, Advocate
	Mr. Raja Muchkund Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 26-09-2025 Heard Mr. Sandip Kumar Gautam, learned counsel for the petitioner and Mr. Choubey Jawahar, learned APP for the State as also Mr. Ranjeet Kumar Singh assisted by Mr. Raja Muchkund Kumar, learned counsels for the informant.

2. The petitioner seeks bail in connection with Alouli (Aluali) P.S. Case No. 299 of 2025 instituted for the offences under Sections 329(4), 126(2), 115(2), 351(2), 351(3), 352, 75, 78, 109, 303(2) & 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the accusation against the accused persons including the petitioner is of misbehaving with the informant after entering into her house. It is also alleged that when the informant's husband came then they abused him and



also taken away his gold chain. They also fired bullets.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case merely on the basis of suspicion. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. He further submits that in the alleged firing, no one sustained any fire-arm injury and not a single empty *khokha* or cartridge has been seized from the place of occurrence. He further submits that there is delay of one day in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 07.07.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner,



abovenamed, be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Alouli (Aluali) P.S. Case No. 299 of 2025, subject to the following conditions:

- (I) One of the bailors shall be own/close member of the family of the petitioner.
- (II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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