

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62141 of 2025

Arising Out of PS. Case No.-1571 Year-2023 Thana- DANAPUR District- Patna

Tahseen Jalal @ Addi S/o Md Jalaluddin Khan R/o Bhagwanpur, Gobarsahi,
Prabhat Nagar, Near Palak ITI, P.S.- Sadar, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.N. Shahi, Sr. Advocate
		Mr. Amit Anand, Advocate
For the Opposite Party/s	:	Mr. Khurshid Anwar, APP

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

ORAL ORDER

3 30-08-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Danapur P.S. Case No. 1571 of 2023 instituted for the offence
under Sections 302, 120-B & 34 of the Indian Penal Code and
Sections 25(1-B)(a), 26, 27 & 35 of the Arms Act.

3. The prosecution case, in short, is that while
escorting an under trial prisoner to Danapur Court, two
assailants opened fire at the parking area. The prisoner was shot
multiple times and later died during treatment. Both the
attackers were caught with firearms and ammunition.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 16-12-2023. Petitioner



bears no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that the role of firing multiple bullets upon the deceased has been vaguely attributed and there is no specific, consistent or reliable allegation against the present petitioner. The place of occurrence was crowded place and petitioner has become the victim of the circumstance. There is no compliance of Section 103 of the BNSS, 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that there is direct allegation against the petitioner that he along with one other co-accused has opened fire upon an under trial prisoner leading to his death. Petitioner was caught by the public and production-cum-seizure list was prepared, wherein there is recovery of arms from his possession. Since, there is direct allegation against the petitioner, he does not deserve the privilege of bail.

7. Considering the aforesaid facts and circumstances of the case, there being direct allegation of firing against the



petitioner, leading to death of an under trial prisoner as also there being recovery of arms from the possession of the petitioner, which was allegedly used for the commission of the offence, this Court, is not inclined to grant bail to the petitioner. Prayer for grant of bail to the petitioner is hereby *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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