

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64336 of 2025

Arising Out of PS. Case No.-89 Year-2024 Thana- GWALPARA District- Madhepura

Md. Aliya @ Ali Hussain, S/o Md. Kalim ,R/o Village-Sahpur, Ward No.-08,
P.S.- Gwalpara, Distt.- Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Sessions Trial No.331 of 2024 arising out of Gwalpara P.S. Case No.89 of 2024 registered for the offences punishable under Sections 307, 302, 504 read with 34 of the Indian Penal Code (in short 'IPC') and Section 27 of the Arms Act.

3. The accused/petitioner is not named in the FIR and is in custody since 28.10.2024.

4. As per FIR, three unknown miscreants opened fire upon the father of informant and subsequently upon two other persons namely, Rohit Kumar and Ram Pravesh Thakur.



Due to said bullet injury, father of the informant died subsequently during treatment.

5. It is submitted by learned counsel appearing for petitioner that the name of this petitioner transpired during the course of investigation on the basis of his self-confession while he apprehended in Gawalpara P.S. Case No.97 of 2024 in furtherance of which, no incriminating material recovered/surfaced as to connect him with present occurrence of murder. It is submitted that having all such occasions, the petitioner was not put on T.I.P. as yet, which may establish a *prima facie* involvement of the petitioner with present crime in question. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover petitioner found involved in four criminal cases, where he is on bail.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by



taking note of fact as save and except suspicion arising out of self-confession, nothing incriminating transpires against petitioner as to connect him with present crime in question, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 28.10.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IX, Madhepura in connection with Sessions Trial No.331 of 2024 arising out of Gwalpara P.S. Case No.89 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

Sanjeet/-

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