

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72796 of 2025

Arising Out of PS. Case No.-135 Year-2025 Thana- MALAHI District- East Champaran

Noor Alam @ Noor Alam Khan @ Jagaru @ Jagatu Khan S/o- Late Kabul Khan @ Kabul Ahmad Resident of village- Chintamanpur, P.S.- Mehshi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 16-10-2025 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Malahi P.S. Case No. 135 of 2025 instituted for the offences under Sections 109(1), 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the accused persons namely Krishna Sahani and Algu Yadav surrounded the informant, stabbed him in his stomach and thrown him on the bank of the canal and, thereafter, fled away from there.

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. The petitioner is not named in



the F.I.R. and his name has transpired in this case in course of investigation in the re-statement of the informant. The petitioner is 75 years of age and is suffering from different kind of old disease. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The informant is not the eye-witness to the alleged 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. In course of investigation, nothing adverse has come against the petitioner showing his complicity in the alleged occurrence. Charge-sheet has been submitted in this case. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 26.07.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has 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, the period of custody of the petitioner, the petitioner having no criminal antecedent as also there being no specific or direct allegation of assault against the petitioner, let the petitioner,



abovenamed, be released on bail 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 Malahi P.S. Case No. 135 of 2025.

(Rudra Prakash Mishra, J)

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